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1 Wednesday, 20 May 2009

2 [Open session]

3 [The accused entered court]

4 [The Accused Prlic and Coric not present]

5 [The witness takes the stand]

6 --- Upon commencing at 9.00 a.m.

7 JUDGE ANTONETTI: [Interpretation] Please call the case.

8 THE REGISTRAR: Good morning, Your Honours. Good morning,
9 everyone in and around the courtroom.

10 This is case number IT-04-74-T, the Prosecutor versus
11 Prlic et al.

12 Thank you, Your Honours.

13 JUDGE ANTONETTI: [Interpretation] Thank you very much.

14 Today is Wednesday, May 20th, and I would like to say good
15 morning to Mr. Praljak, Mr. Stojic, Mr. Petkovic, and Mr. Pusic, ladies
16 and gentlemen, Defence lawyers, Mr. Stringer and his team, as well as all
17 those helping us in the courtroom.

18 Before we go on, I believe Mr. Karnavas has something to say.

19 MR. KARNAVAS: Yes.

20 Good morning, Mr. President. Good morning, Your Honours. Good
21 morning to everyone in and around the courtroom.

22 Prior to coming into court, I distributed to the Prosecution and

23 to members of the Bench an e-mail exchange. I did so as a result of a
24 response that was filed by the Prosecution yesterday. Since then,
25 Mr. Stringer has looked at the e-mail exchange, and I believe

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1 Mr. Stringer wished to address the Court on this issue, because our
2 position -- I was going to ask for leave to file a reply on this issue as
3 to whether we were timely in filing a motion for reconsideration. Based
4 on this e-mail exchange, it's quite clear, because I -- immediately upon
5 getting the Court's decision, we asked for clarification, because we
6 wanted to make sure that we would have been in a timely fashion. As you
7 may have noticed, we have filed a motion for reconsideration with
8 approximately 1.300 pages of commentary which we had to work on, and we
9 were in the process of doing that when this decision came out, and as a
10 result, we wanted to make sure that we were timely. And I believe
11 Mr. Stringer, upon seeing this e-mail exchange, which apparently he
12 wasn't aware of because he's been very busy getting prepared for
13 General Praljak, may wish to add something.

14 MR. STRINGER: Good morning, Mr. President and Your Honours,
15 Counsel, and everyone else in and around the courtroom.

16 This relates to the motion for reconsideration filed by the
17 Prlic Defence in respect of a number of documents.

18 Last evening, the Prosecution filed its response to the motion
19 for reconsideration, and we relied substantially on a recent decision of
20 the Trial Chamber in which it imposed conditions or limitations on the

21 filing of motions for reconsideration. And were we filed our response
22 yesterday, I had forgotten about an e-mail exchange from the 27th of
23 March, which I did see at the time, in which the Trial Chamber clarified
24 that the Trial Chamber's subsequent decision, which imposed the
25 limitations on motions for reconsideration, that that decision would not

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1 apply to the motion for reconsideration that the Prlic team was in the
2 process of preparing at the time the decision came out. And this was
3 from the 27th of March. I saw it at the time, and to be perfectly candid
4 with the Trial Chamber, I forgot about this exception that had been -- or
5 this clarification that had come from the Trial Chamber's legal officers.

6 And so what that means is that the Trial Chamber should disregard
7 the response that the Prosecution filed yesterday, because it's not going
8 to really be very apt under the circumstances.

9 My recollection is that the Prosecution's dead-line for filing
10 the response falls later this week, I think on Friday. I could be wrong,
11 and I'll check at the break. My proposal would be that if that is the
12 case, if the Prosecution's dead-line for filing a response to the motion
13 for reconsideration -- if the dead-line has not yet passed, then I would
14 simply propose to withdraw the response that was filed yesterday and to
15 consider whether we would file a corrected one within the time-frame that
16 already applies. We're not going to be seeking an extension of time for
17 that.

18 Thank you, Mr. President.

19 JUDGE ANTONETTI: [Interpretation] Thank you very much. That's
20 perfectly clear. The Chamber has taken note of your various comments on
21 both sides as regards that matter.

22 Madam Pinter.

23 WITNESS: SLOBODAN PRALJAK [Resumed]

24 [The witness answered through interpreter]

25 MS. PINTER: [Interpretation] Thank you, Your Honour. Good

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1 morning to you and all my colleagues, and everybody else in and around
2 the courtroom.

3 Examination by Ms. Pinter: [Continued]

4 Q. [Interpretation] General, yesterday we left off discussing an
5 excerpt from a book, the book by Sead Cupina. Do you have anything to
6 add or may we move on?

7 A. Let's move on.

8 Q. All right, thank you. Now take a look at document 3D02855,
9 please. It is a document dated the 20th of May, 1992, and it is an order
10 to the Command of the Mostar Brigade from the commander,
11 Major-General Momcilo Perisic.

12 A. Ms. Nika, could you give me the number again?

13 Q. 3D02855.

14 A. Thank you.

15 Q. The documents are in their order in the binder, from the smaller
16 numbers upwards. Have you already seen this document?

17 A. Yes.

18 Q. What would you like to draw the Court's attention to in this
19 document? First of all, Major-General Momcilo Perisic, that's the same
20 person that we talked about yesterday, when we spoke about the taking
21 over of the barracks in Grabovina, and you mentioned him as being
22 somebody who you had contacts with or, rather, somebody who decided upon
23 that and engaged in the landing?

24 A. He was the commander of the forces of the Yugoslav People's Army
25 and, as far as I know, the other units which attacked from the left bank

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1 of the Neretva River. Well, on the right bank as well. And here --
2 well, the document speaks for itself. It's absolutely clear.

3 Q. I'd like to draw your attention to point 2, the last paragraph --
4 the last point on the first page. Point 2, please.

5 A. Yes. This is a classical order, the order of a commander to his
6 soldiers. He says he's going to prepare all the bridges for destruction.
7 All the bridges that were built in Yugoslavia, and I don't know whether
8 this refers to anything else, were constructed in such a way that they
9 had within them -- they contained -- in construction terms, they had
10 holes where you could place explosives and, by doing that, blow up the
11 bridge. And that's something that the Yugoslav People's Army did,
12 according to this order. And then in May and June, on the Neretva River,
13 with remote control, it destroyed all the bridges, as we've seen a number
14 of times.

15 So he's just preparing -- he's just issuing an order for
16 preparations for an attack, and he is saying what should be done, the
17 obstacles to be set up, how the units should be prepared. He is
18 referring to the deployment of the artillery and so on.

19 Q. Under point 4, "Engineering support," as we're between Mostar and
20 Capljina, I'm talking about 1992, he refers to the east bank of the
21 Neretva? Point 4.

22 A. Well, obviously they thought that on our side there were a lot of
23 soldiers, and things are always exaggerated. Most probably, he knew what
24 manpower we had. Of course, if we had more soldiers, we would have
25 behaved differently. But apart from preparing for an attack here, he

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1 says that the east bank should be secured and all the bridges should be
2 prepared for destruction. And then he says that when the order is given,
3 the bridges are to be destroyed, especially the bridge across the
4 River Buna in a place called Buna, and that was because that bridge, if
5 it were destroyed, would cut off communications between Mostar and
6 Capljina. So the attack on both banks of the Neretva River in June,
7 well, I paid attention to that. And we managed, along the
8 Sarajevo-Konjic-Mostar road, Capljina towards the sea, we managed to take
9 control of the bridge before they blew it up, because it was very
10 important strategically.

11 Q. Thank you. We can now move on to the next document, which is
12 3D03050, and it's a document dated the 25th of May, 1992, signed by

13 Momcilo Perisic, the commander, once again. It's an order for action. I
14 assume you've already seen this document.

15 A. Yes. This is more or less the same thing.

16 On the 25th of May -- or, rather, on the 10th of April, 1992, the
17 military situation in Herzegovina was not good, and you were able to see
18 that, the way the army was organised, and especially on the 10th of
19 April, 1992, the Croatian Defence Council or, rather, their units lost
20 Kupres, which was a very important strategic point for an attack towards
21 Split and Herzegovina down there. The Yugoslav People's Army, on a
22 Kupres field, which is ideal for tanks, and tank manoeuvres were always
23 conducted on that plateau, in that area, they managed to take Kupres, and
24 we had many losses. There were quite a lot who were killed, wounded and
25 captured, and the entire situation, well, it looked the way you saw,

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1 organisationally speaking. We had to work in two sections; first of all,
2 to establish and set up the Main Staff, and this is something
3 General Petkovic took upon himself, to join up all the groups and areas
4 that had to be armed and that were armed, and in certain segments there
5 were people working there, where I worked, for example, in the area of
6 Capljina, Mostar and northwards.

7 On the 15th of May, 1995 [as interpreted], we managed to take
8 control of Stolac. That is to say, the Serbs, after the first refugees,
9 especially Croats, left Stolac, a lot of Muslims stayed on, however; and
10 the Serbs wanted to establish some sort of joint army with them, joint

11 police force and so on, and they would tell them that they would be safe
12 there. Of course, they didn't believe that because there'd already been
13 killings, especially by the reservists, who were drunk and so on, and had
14 escaped control.

15 Q. Who do you mean?

16 A. Of the Muslims, the reservists of the Yugoslav People's Army.

17 Now, on the 15th of May, the Serbs expelled from Mostar almost
18 everyone from the east bank. The people jumped into the Neretva River.
19 They escaped across the bridge. They shot at some of these people, and a
20 woman was killed on the bridge, for example. And also from Stolac, after
21 the first wave of refugees, we had another enormous wave of refugees, and
22 we've already spoken about that. And those refugees reached the left
23 bank of the Neretva River in the area of Sevac Polje and Pocitelj, and
24 then they tried to move towards Capljina, advance towards Capljina along
25 the main road. And then from Capljina, to use the old railway bridge,

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1 the narrow one, narrow railway track that was still working in one
2 direction, it was a one-way, and the main bridge had already been
3 destroyed from the explosives that had been planted underneath it.

4 The Serbs didn't allow them to go through, and then, and we've
5 already discussed this with a previous witness, I issued the order to
6 organise urgently how these people were to be taken in. And according to
7 the document that's already an exhibit, we managed to transfer about
8 15.000 people with two barges. That is to say, we used the river

9 currents there. They didn't have a motor or anything. And this was used
10 to transport about 15.000 people. And then we transported 3 thousand
11 small cars. As the Serbs did not advance fast enough, in those two-three,
12 four days of extraordinary effort, and I must say that every recognition must
13 be paid to the people who engaged in all this. We haven't managed to
14 transport some heavy trucks. There were some ten heavy trucks left, and
15 thousands of cars, all on these rafts. Like usually you have the boats which
16 are able to -- ferries transporting about 50 vehicles, but we used rafts to
17 do this. And the people who didn't go to Croatia, the men, they were
18 asked -- they were told to report - and I'm referring to Muslims here -
19 they were told to report for training. And of the group that we trained
20 and armed, and so on, with all the logistics, Stojic and the others, we
21 managed to arm them, train them. And of that group of people, the
22 Bregava Brigade was later formed, which was composed exclusively of
23 Muslims. And this brigade, the Bregava Brigade, after the liberation of
24 Stolac in June, the beginning of June 1992, crossed over to the left bank
25 and, together with the HVO, took up its positions facing the lines which

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1 we had reached by that time. So this liberation of Stolac, and the
2 operation -- well, when there was the main onslaught from Capljina, was
3 led by General Petkovic.

4 And I would like to add also that in the drive to the operation
5 to liberate Dubrovnik from the right side, from Metkovic, there was a
6 Croatian Army brigade, and I think Beneta was the commander, and they led

7 this operation. Actually, it was a joint operation, and the Croatian
8 Army did this in order to liberate Dubrovnik, which had been under a
9 complete siege. Well, the siege was close -- the encirclement was close
10 up. You could even target the town using a pistol. Anyway, they went
11 directly from Capljina to Stolac, and in the final stages, or, rather,
12 the second half of that operation, I came in to help, as best I could.

13 THE INTERPRETER: Microphone for the counsel, please.

14 MS. PINTER: [Interpretation]

15 Q. This document is actually an assessment by the commander of the
16 Herzegovina Corps with regard to the intentions of the HVO. Under item
17 2, immediately after number 1, it says that the goal is the territory of
18 East Herzegovina in the area around Dubrovnik. You have just mentioned
19 that that goal or objective was in the direction of Dubrovnik?

20 A. I mean, I am always going to repeat something that is abundantly
21 clear, and that is that the Yugoslav People's Army, in order to implement
22 their political plan, did not attack Bosnia and Herzegovina and Croatia,
23 each of them separately. They just wanted to carve up the territory, and
24 they wanted to take the territory which, in their heads, they proclaimed
25 the future state of Yugoslavia, Serbia. It is crystal clear from all the

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1 documents that the republican states, recognised states or not recognised
2 states, is not something they considered relevant at all. For them, it
3 was one theatre of war, and the objective was one and the same.

4 Q. I've just been warned that in -- on page 7, line 6, it says that

5 these events took place on the 15th of May, 1995.

6 A. 1992 is the right year.

7 Q. Thank you very much. And I'm just going to ask you, with regard
8 to this document, and that again confirms what you have been telling us
9 so far, where is the village of Slano and where is Popovo Polje? These
10 two places are listed as the future points of attack.

11 A. Slano is in Croatia, and the border between Bosnia-Herzegovina
12 and Croatia goes through Popovo Polje.

13 Q. Thank you.

14 A. If I may add to that, after the liberation of Stolac, all Muslims
15 returned slowly to that area, and we established or, rather, facilitated
16 the establishment of the Muslim Brigade Nere...I mean, Bregava, that was
17 then deployed in Stolac.

18 What I'm saying is this: This is contrary to any desire on
19 anybody's part to cleanse the area from the Muslims. When the Serbs
20 attack -- attacked, Muslims left, and if any commander or anybody in the
21 HZ-HB wanted this to be a banovina or a Croatian area, they would have
22 not armed a Muslim brigade and allowed it to return back together with
23 the population. They would have simply told them, You can't go back.

24 JUDGE TRECHSEL: Mr. Praljak, you again get into arguing. That
25 was all argument and speculation, and, if not this, then that, so please

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1 stay with the facts.

2 As I have interrupted, I have two small questions for you.

3 First, you have said, and this is on page 6, line 15, with regard
4 to this document:

5 "On the 25th of May or, rather, on the 10th of April, the
6 military situation was not good."

7 Why do you speak here of the 10th of April, while we before had
8 already a document of the 20th of May, which was also such an order, and
9 you have not made any such observation there?

10 THE WITNESS: [Interpretation] Your Honour Judge Trechsel, I said
11 that the situation on the 10th of April already was rather bad, and it
12 got even worse as a result of the fact that the Serbs or the Army of
13 Republika Srpska and the JNA had expelled the entire Muslim Croatian
14 populations from the eastern bank of Neretva, from Konjic and from
15 Mostar.

16 At the time in Mostar, we had tens of thousands of refugees, as
17 well as in Capljina and Medjugorje, and this is what I'm talking about.
18 This is what I've been saying all the time.

19 JUDGE TRECHSEL: Thank you.

20 And the other question relates to the letterhead. There is a
21 line which says "To" and then "Command," but not what kind of command; is
22 there an explanation? To whom is this addressed?

23 THE WITNESS: [Interpretation] Your Honour Judge Trechsel, such
24 orders are first prepared, and then when a date is set for the launch, an
25 order is issued and sent to the various commands concerned for execution.

1 So this is an order which was never sent for execution. I suppose that
2 we received a new one. However, I did not have at my disposal the
3 entire -- or, rather, we probably managed to capture this from somebody,
4 but I suppose that at the moment when the moment of execution came,
5 addressees are added, as Honourable Judge Trechsel, Honourable
6 Judge so-and-so, and sent to these people.

7 JUDGE TRECHSEL: Thank you. It would then be something like a
8 preparatory order, in German called [German spoken]. Maybe you're not
9 conversant with that terminology. Thank you.

10 THE WITNESS: [Interpretation] Absolutely true, Your Honour.

11 MS. PINTER: [Interpretation]

12 Q. General, could you please --

13 JUDGE ANTONETTI: [Interpretation] A moment ago, Mr. Praljak, you
14 said something that needs to be discussed in further detail.

15 We have seen two military documents signed by General Perisic,
16 relating to the situation in the month of May. When we read these
17 military documents, which are quite lengthy, and I might even say that
18 amongst all of the documents we've seen, this is probably the most
19 detailed military order that we've seen thus far, the result is that
20 there is a situation of conflict and that the Serbs have taken all
21 measures in order to deal with the situation. Without going into the
22 technical aspects of this order - we could spend a lot of time on
23 that - I'd like to refer to something else.

24 A few moments ago, you said that there were many Muslim refugees
25 who went to Mostar, and then you went into the details of setting up a

1 Muslim brigade, et cetera. Now, if the Muslims leave a particular zone,
2 zone X, that is, where they were living, and they go and they leave
3 without any hope of coming back, is this departure, in your opinion, the
4 sole result of the Serbs?

5 THE WITNESS: [Interpretation] Yes, Serbs only.

6 JUDGE ANTONETTI: [Interpretation] If these Muslims do not go back
7 to their region, can we say that it was due to the HVO? Does the HVO
8 have any responsibility in their not going back?

9 THE WITNESS: [Interpretation] No, no way. The HVO liberated the
10 area, and a free return was guaranteed to one and all, including the
11 Bregava Brigade, which returned after we helped it to be armed and to be
12 trained.

13 JUDGE ANTONETTI: [Interpretation] As part of the evidence you're
14 going to show us, because we haven't got everything, we've still got time
15 left for this, have you planned to show us a map of Bosnia and
16 Herzegovina which shows where the Muslims were, and that the Muslims left
17 because of the Serbs, and left the territories under Serb control and
18 perhaps even under the control of the HVO after that, areas where there
19 were no more Muslims? Do you intend showing us such a map or not?

20 THE WITNESS: [Interpretation] Your Honour, of course I can show
21 you that in a very simple map, in the entire area east of the Neretva,
22 Mostar, Blagaj, the Dubrava Plateau, Buna, Stolac. I can show you the whole
23 area, because I was -- just as I said it, I issued the order. Of course, I

24 did not have the right to issue the order. Let's be clear on that. However,

25 given the communications the way they were at the time, I took upon myself

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1 the role to issue the order to receive all the refugees, and we accommodated
2 them. And all those who wanted to return, including the armed troops of
3 the Army of Bosnia and Herzegovina, returned to the area of Stolac,
4 Mostar, and the village of Buna; and tomorrow I'm going to prepare a map
5 and provide it for your perusal.

6 JUDGE ANTONETTI: [Interpretation] Very well. We'll see this
7 later on.

8 MS. PINTER: [Interpretation]

9 Q. General, we have to clarify some localities that are mentioned in
10 the document. A reference is made to Slano, Zavala, Dubrovnik, Peljesac
11 and Sipan. Where are all these places?

12 A. All of them are in the Republic of Croatia. Sipan is an island.
13 Well, you know, all of these places that you've just mentioned are in the
14 peninsula. Peljesac is the big peninsula that you can see here.

15 MS. PINTER: [Interpretation] Can the witness please be provided
16 with a pointer?

17 THE WITNESS: [Interpretation] I think I've got it somewhere here.
18 I've got it, I've got it.

19 Your Honour, this is Peljesac in the Republic of
20 Croatia [indicates]. This is Dubrovnik [indicates].

21 MS. PINTER: [Interpretation] The Judges have got a map.

22 THE WITNESS: Can I get something to mark?

23 MS. PINTER: [Interpretation]

24 Q. No, you can't because I don't have it. It is in e-court.

25 A. What number is that? What does it say on the map? What is it?

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1 MS. PINTER: [Interpretation] 3D003545. If we can have that on
2 e-court. But in that case, could we please ask the usher to provide the
3 general with the facilities to draw on the device. 3D0010 -- 3D03545.

4 THE WITNESS: [Interpretation] We always have maps. Where are
5 they now?

6 MS. PINTER: [Interpretation] We used them all. 3545, 3D03545.

7 Q. While we are waiting for the map to appear, General, the places
8 we have just mentioned and here is the map, very well. And now you can
9 use it to show us, and you were talking about Dubrovnik, Slano, Zavala.
10 We were also talking about Peljesac, the peninsula of Peljesac, and also
11 about Sipan, Slano and Popovo Polje.

12 A. This is a very small map.

13 Q. It can be blown up.

14 A. Here is Sipan [indicates]. I apologise. Sipan [indicates],
15 Peljesac [indicates].

16 Q. Can you please put a number 1 next to Sipan?

17 A. Sipan, 1; 2, Peljesac; Slano, 3; Popovo Polje is here, 4. Very
18 simply, from Popovo Polje or from the Republic of Bosnia-Herzegovina,
19 they attacked the way we have established it already a dozen times, and

20 it's not that they were attacking. Those areas had to be liberated.
21 Dubrovnik was under siege. I have already demonstrated that. You can
22 reach Dubrovnik only by boat. There was a fantastic team with some boats
23 that managed to avoid the blockade of the JNA and managed to help the
24 city survive all that time until it was liberated by the Croatian Army.
25 So in order to liberate all that area, the Croatian Army had to take this

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1 route from Metkovic to Stolac in order to free the flank for -- the
2 movement towards south. When they were liberating Stolac, they were
3 under the command of Beneta; and from Capljina to Stolac, their operation
4 was under the command of General Petkovic: 5, Beneta, 6, Petkovic.

5 Q. Then we may conclude at bullet point 2 of the order for further
6 action, as a matter of fact, speaks about the intentions of the
7 Croatian Army or, rather, the HVO - I apologise - and the axis of
8 operation by the HVO, and the preparations to counter all the activities?

9 A. Yes, Salakovac, Klepci, obviously the defence that they were
10 preparing against the HVO, all you can see further up north.

11 Q. General, when we're talking about all these things, and with
12 regard to the question put to you by the Honourable Judge Trechsel, what
13 is your knowledge about that? Did you learn about all that subsequently
14 or is your knowledge immediate, dating back to the time when the events
15 were taking place?

16 A. From -- dating back to the time when the events were taking
17 place.

18 Q. You were there?

19 A. I was a participant. I was an active participant, and I
20 participated in the way that I described. Regardless of that, of the
21 fact that I was not formally in command at the time, I would go to Zagreb
22 every now and then, and I prepared the military, both in organisation and
23 morale terms. I was telling them that we had the strength to defend
24 ourselves, that we will defend ourselves, and that we will launch an
25 offensive at one point and liberate the left bank of the Neretva River.

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1 Q. And now let's finish the answer to the question that was
2 connected with the document regarding the addressee. Could you please
3 turn to page 2 in this document, and in the left lower corner there is a
4 list of all the addressees.

5 JUDGE ANTONETTI: [Interpretation] Are you asking to have an IC
6 number? We'll ask for an IC number.

7 MS. PINTER: [Interpretation] I wanted to finish with this
8 document and then link the document up or, rather -- yes, I would like an
9 IC number.

10 THE REGISTRAR: Your Honour, the marked version of document
11 3D03545 shall be given Exhibit IC1011. Thank you, Your Honours.

12 MS. PINTER: [Interpretation]

13 Q. Thank you, General. What does the IKM mean, Mostar-Mrkonjici.

14 A. The forward command post IKM, forward command post Mostar,
15 forward command post Mrkonjici. I think I could spend hours on a

16 document like this, so we don't have time to go into details like that
17 during my testimony.

18 Q. But we had to ask -- we had to explain who the document was
19 addressed to. But not to the HVO?

20 A. No, not to the HVO. And if General Perisic
21 signed it, then it's clear who it is addressed to, whether it goes to one
22 brigade or another is immaterial in this respect.

23 Q. All right, now look at 3D --

24 THE INTERPRETER: Could counsel repeat the numbers, please.

25 MS. ALABURIC: [Interpretation] Your Honours, I would like to

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1 correct a mistake on the transcript. In line 16, it was General Perisic
2 and not General Petkovic, as was recorded. General Praljak said
3 "General Perisic."

4 JUDGE TRECHSEL: The translation was "Petkovic," however.

5 MS. ALABURIC: [Interpretation] I'm quite certain that
6 General Praljak said "General Perisic," but we can ask him.

7 THE WITNESS: [Interpretation] Yes, "General Perisic,"
8 General Perisic.

9 MS. PINTER: [Interpretation]

10 Q. General, 3D03064 is the number of the next document.

11 A. As far as this document is concerned, it's a report from
12 Zarko Keza, who was the chief of the Military Intelligence Service within
13 the HVO, and its aim was to learn what the enemy has, what its forces

14 are, what the enemy intentions are, where the command posts are, and all
15 the information and intelligence relating to the enemy that had to be
16 gathered. And somebody called -- well, at the head of the HVO was in
17 charge of that.

18 And in this document, apart from everything else, I think it's
19 important to mention something that we knew, and that is that among the
20 Serbs who remained on our side, and there were about 4.000 of those in
21 Mostar and Capljina and so on, that among those people there were quite
22 certainly many of those who were left there to carry on working as
23 counter-intelligence, as provocateurs, as somebody working for KOS,
24 K-o-s, and here he says it was the Serb intention, and that was always
25 their intention throughout and is something they always did continuously,

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1 that is to say, the Serbs, that they use all means available to help sow
2 the seeds of discord and disunity among the Croats and the Muslims; and
3 that any even very minor conflict and clash, individual, to try to turn
4 it by using propaganda into something that would serve their own ends and
5 cause an even greater conflict, that propaganda again increase the
6 conflicts and so on.

7 And in that respect, they were certainly successful. Their
8 services did that kind of work very well, and then they used their
9 artillery to shoot at the Croats and the Muslims. And then suddenly
10 rumours would go 'round that it was the Croats shooting at the Muslims,
11 and vice versa, and those rumours -- there were so many rumours going

12 'round in that area, just rumours and rumours, and the fight against
13 those rumours were -- was a task that each individual had over there.

14 Q. Thank you. Now one more document. 3D03228 is the number, and on
15 e-court it is 3D36-1646, and in English it is 3D36-1662, which is an
16 article by Camil Salihovic about the 6th Fleet from the Neretva. Now,
17 I'd just ask you to focus on one portion, that is to say, the answers of
18 Mirsad Zuhric, who was the commander in the Dubrava area. Well, we can't
19 say that he belonged to the BH Army because they were already within the
20 composition of the HVO, but, anyway, I'd like to focus on that portion
21 and especially the part where he says that they had gained great respect
22 within the HVO. You've already spoken about the cooperation between the
23 HVO and the Muslims and you said that they fought together, and you said
24 how the young man, Luburic, brought in lilies for the fighters, Muslim
25 fighters, and this article speaks about that. It says that the Muslim

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1 soldiers carried lilies and that there were no problems on the HVO side.
2 And your experience is the same, is it?

3 A. Yes. Well, not my experience, but that's what I did. I worked
4 there. I -- well, as far as those lilies are concerned, well, this
5 newspaper, "Hercegovacki Vojnik" dates back to February 1993, so already
6 in February 1993 the Muslims write this way about the Croats. We were
7 very much together at that time. It was a common struggle, and he
8 confirms what I was saying; that in Medjugorje, 250 people who received
9 weapons from the HVO and had undergone training formed the nucleus of the

10 future Bregava Brigade, which later crossed over -- anyway, as
11 Judge Trechsel said, I'm not making conclusions as to what it did over
12 there, but it was returned to the Stolac area. Well, it just left, went
13 back to its territory. It wasn't a question of returning. And I
14 provided them with the lilies. Somebody manufactured these lilies, and
15 Mr. Luburic sent them on further. So there was no doubt about what
16 people would be wearing, because it was one army, the Army of the
17 Republic of Bosnia-Herzegovina, in a common struggle. And how things
18 developed, I'll show in due course.

19 Q. And to round off this Capljina and Stolac-92 issue, look at
20 document 3D00682 now, please. And for the record, it is a document which
21 was -- is tendered in order to refute the testimony of Witness CU, who
22 testified before this Court on the 15th and 16th of January, 2007. 3D682
23 is the number, 00682.

24 General, it says to remind Mr. Praljak. What kind of document is
25 this? Who wrote it?

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1 A. My secretary at the IPD in Zagreb.

2 Q. May we know her name?

3 A. Gasevic.

4 Q. Thank you. Now, according to this document, it says that on
5 Saturday, the 6th of June, 1992, at 9.30, there was a meeting at the
6 president's. I know it's difficult to remember the dates and whether you
7 attended that meeting or not, but that is why we have another document,

8 3D01538. And on 3D29-1458, on that page, it follows that
9 Mr. Slobodan Praljak, on the 4th of June, 1992, and the 6th of June,
10 1992, was recorded as having visited the offices of the president of the
11 republic. And from this, we can conclude that you were not in the area
12 of Capljina municipality on the 6th of June, 1992. And I'm going to ask
13 you now --

14 MR. STRINGER: I don't think it's intentional, but I've not
15 objected after hearing a series of leading questions, and I think counsel
16 is starting to lead too much, and that's our objection.

17 JUDGE ANTONETTI: [Interpretation] Ms. Pinter, I know that you are
18 trying to do your best, but it would be better if Mr. Praljak reached his
19 own conclusions, rather than you, because this was leading.

20 MS. PINTER: [Interpretation] I agree, but we already had the
21 document and it was rejected because we were waiting to have
22 General Praljak come in. It's not something new.

23 Q. But, yes, you tell it in your own words, General.

24 A. It is true and correct that I was asked whether I was at
25 President Franjo Tudjman's on the 6th of June, and I couldn't say with

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1 any certainty whether I was there or not, 1992. But I know full well
2 that the statement of (redacted)

3 MS. PINTER: [Interpretation] May we have that redacted, please.

4 JUDGE ANTONETTI: [Interpretation] Registrar, please, we need to
5 redact line 20 on page 21.

6 THE WITNESS: [Interpretation] So I'm not going to mention the
7 name. The witness who claimed that I, on the 6th of June, 1992, was at
8 the Command in Capljina, that he saw me and heard me there, whereas I
9 didn't see him, he was hiding behind a post or pillar, first of all, that
10 he could have entered the Command as he said is a lie. Second, if at
11 such small -- in such small headquarters, small room, that he could be
12 hiding behind a pillar without being seen is a stupid lie. And, third,
13 that he said he heard me explaining something about the Serbs shooting,
14 and that we're going to provoke the Serbs so that they should shoot the
15 Muslims, that is a notoriously stupid lie, because I took 15.000 Muslims
16 across the Neretva River, I helped arm them, train them, and so on. And
17 then subsequently through these documents, we see that I was at the
18 presidential offices. So this man is lying very stupidly. If you're
19 going to lie, you might as well lie intelligently, but not lie blatantly
20 and so stupidly.

21 JUDGE ANTONETTI: [Interpretation] General, as a judge I need to
22 assess your version, that of the Prosecutor, and what the witness has
23 said, and it is in light of all this that a reasonable trier of fact can
24 draw his or her conclusions. We are today the 6th of June at 9.00 in the
25 morning. That is the day you meet President Tudjman, 9.30. If the

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1 meeting lasts one hour, perhaps even two, this means that it is by then
2 11.00 or 12.00. And from a technical point of view, that's quite
3 possible, but when you are a judge in a criminal proceedings, you have to

4 work on assumptions, and it's quite possible that you said to
5 President Tudjman, I've come to see you at your request, but my duty
6 would mean that I should be in Capljina. Then President Tudjman may have
7 said, No problem, you can have one of my helicopters to go back to
8 Capljina.

9 Is that a likelihood or not?

10 THE WITNESS: [Interpretation] Well, Your Honour Judge Antonetti,
11 not at all. Hypothetically, it is possible that after the meeting at
12 10.00, say, I got into my car, but even if you drove at a mad speed,
13 maniacally, you would have to go 'round about, cross on a ferry, and even
14 if you drove your car at full speed you would need a lot of time to get
15 there. So I wasn't in Capljina on that morning. It would require at
16 least ten hours. So the man is lying, and he's stupidly lying. And he's
17 lying stupidly because he was saying that I was going to organise some
18 shooting in Stolac or whatever, and 15 days prior to that, we did our
19 utmost to transport 15.000 people. I mean, it's so stupid and so
20 underhand that I can't even talk about it. 3.000 cars, and this document
21 that is an exhibit already, it's something we've talked
22 about, but it's quite beyond any logic, and it's an insult, actually. So
23 I find it difficult to address the matter at all.

24 JUDGE ANTONETTI: [Interpretation] General, you didn't answer my
25 question. You said by car it would take you ten hours. That's not my

1 question. I asked you whether a helicopter couldn't bring you back from

2 Zagreb to Capljina.

3 THE WITNESS: [Interpretation] No.

4 JUDGE ANTONETTI: [Interpretation] Why not?

5 THE WITNESS: [Interpretation] Well, no helicopter ever
6 transported me anywhere. I don't know that we had a helicopter at all
7 at that time. I suppose we might have done. Well, we're talking about
8 1992. I don't know whether the Croatian Army had helicopters at all, but
9 at that time I never rode in a helicopter, I never flew in a helicopter.

10 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, you know nothing
11 escapes me. In these two documents that we have seen earlier, signed by
12 Mr. Perisic, it is mentioned that there are helicopters and that the
13 Croats do have helicopters.

14 THE WITNESS: [Interpretation] Your Honours, I didn't say they
15 didn't have any, but I didn't know whether they did or didn't. It wasn't
16 something I was aware of. But the fact is that I never went down there,
17 nor did the president ever -- well, let me tell you, I didn't even tell
18 the president that I was going down there. I didn't dare tell him that,
19 because I went down there secretly. I had to go secretly. And even that
20 operation, Operation Neretva, I didn't complete because he asked to see
21 me to have a meeting with me and I didn't tell him I was actually going
22 down there. So I didn't tell him I was going down there. I had to go
23 incognito, clandestinely.

24 JUDGE ANTONETTI: [Interpretation] Very well. Let's assume that
25 what you are saying was what actually happened. Why would the witness

1 have said this?

2 THE WITNESS: [Interpretation] Politically, to politically blacken
3 the Croats, and to make the rift between the two nations even deeper.

4 And that's something that is being done today as well.

5 JUDGE ANTONETTI: [Interpretation] Very well.

6 MS. PINTER: [Interpretation] Thank you.

7 Q. General, to follow up on the honourable Judge Antonetti's
8 question, please look at 3D00684, again to remind Mr. Praljak about the
9 8th of June, 1992. It's another reminder. What can we conclude, based
10 on this document?

11 A. I have told you, loud and clear, at the time when the witness
12 said I had been there, I wasn't there. I came later towards the end of
13 the operation to liberate Stolac. In other words, I was there, but I was
14 there later. I did assist with some things down there, but as to that I
15 had talked about pounding the Muslims, I just refuse to discuss that.
16 And this is the last thing I have to say about that.

17 Q. And my last question: In 1993, when you were the commander of
18 the Main Staff of the HVO, did you ever go to Capljina and Stolac
19 municipalities and their territories as the commander of the Main Staff
20 of the HVO?

21 A. In 1993?

22 Q. Yes, in 1993.

23 A. Only on one occasion, at one point in time, which was on the 15th
24 of August, 1993, or, rather, between the 14th and the 15th, when an

25 attack of the BH Army was underway against the territory of Buna and when

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1 they had recorded some successes at the beginning, at the time when the
2 convoys could not pass through to Mostar because this was going on. In
3 that round of fighting, I went there as a commander. I participated in
4 restoring and returning the territory that we had lost. And I remember
5 this very well, because the 15th of August is our ladies' day, which is
6 the ladies very much revered by the Catholics in Herzegovina.

7 And since we're talking about that, on the 15th of August, when
8 we managed to return the positions, the command staff in Citluk was
9 visited by Mr. Stojic, who -- on that day, it was very hot, as it
10 normally is around that time, and he was so exhausted. He fainted, and
11 he almost died. His heart stopped, so I had to administer what I know
12 about first aid. And then he was sent to hospital, I sent him to
13 hospital to save him. That was that one time when he fainted out of
14 exhaustion. And there was another such occasion when he fainted. He
15 just fainted, there and then in that room.

16 Q. Thank you very much, General. I believe we can move on to the
17 following topic, which is Mostar in 1992.

18 The honourable Judges have the binders. The binders are marked
19 as "Mostar 1992."

20 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, I've been thinking
21 about what you're saying, and sometimes it takes me a few seconds to
22 react.

23 You've just said that Mr. Stojic came on August 15th, 1993, and
24 it was very hot, and he became ill. Fine. But in August of 1993, was
25 Mr. Stojic minister of defence?

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1 THE WITNESS: [Interpretation] The head of defence of the HVO. He
2 was the head of defence, not the minister.

3 JUDGE ANTONETTI: [Interpretation] Very well. He was in charge of
4 the Department of Defence. When he goes there, when he came, he was --
5 he went to control military operations or did he go for logistics
6 purposes? What was the purpose of his visit?

7 THE WITNESS: [Interpretation] He did not actually control
8 military operations. He just came to seek information as to how things
9 were. The military operations were led by the commander of the
10 operations zone and the brigade commander and myself around that time,
11 for that day and a half when I was down there, and he came when I
12 returned to inquire about the situation. And it was not the heat that
13 made him faint. He was exhausted.

14 JUDGE ANTONETTI: [Interpretation] Very well. You say he came to
15 be informed. Well, in military parlance, each word has a precise
16 meaning, and when you use a particular word, it has military meaning. He
17 was to inform himself, to become informed. I'm trying to determine the
18 position of Mr. Stojic in his defence.

19 When you say he came to be informed, do you mean that he -- well,
20 if you gave him information that he didn't agree with, could he have told

21 you at that point in time in August, General Praljak, you mustn't do

22 this, you must do that? Could he have told you that at that point?

23 THE WITNESS: [Interpretation] No.

24 JUDGE ANTONETTI: [Interpretation] Why is that?

25 THE WITNESS: [Interpretation] Because I was not under

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1 Bruno Stojic's command. Only Mate Boban could have told me something to

2 that effect, not Bruno Stojic. Bruno Stojic, to be honest with you,

3 Bruno Stojic came, and of course as much as you may want, and I

4 understand the reasons, as much as you want to structure the army, which was

5 the case; however, communication at that moment between the two of us was

6 not as - it was not that the Defence Department head came to inquire, but out

7 of human decency I - well, the Defence Department head knew what this was all

8 about, but this was not my duty, I did not have to do it and he was not in

9 a position to tell me, you did something badly and you have to rectify that.

10 JUDGE ANTONETTI: [Interpretation] Very well. You said, at line

11 18 on page 27, that you were under the command of Mate Boban. I'm going

12 to ask you one more question, because I do have to clarify this.

13 If Mr. Prlic had also come to take stock of the situation, to be

14 informed, could he have told you, General Praljak, things mustn't be done

15 this way, but rather that way?

16 THE WITNESS: [Interpretation] No, Mr. Prlic could not have done

17 that. Mr. Prlic could come to see me and inquire. He could have asked

18 me, and I would have told him about the situation, as I did. However, he

19 could not issue orders, he could not ask me to report to him, and I'm
20 talking about the structure that was in place.

21 JUDGE ANTONETTI: [Interpretation] Well, then I have the same
22 question. Why couldn't he give you orders?

23 THE WITNESS: [Interpretation] Because the Main Staff was not tied
24 to the government. The government, through Mr. Bruno Stojic, did have
25 some competences over one part of the army. They had to ensure that they had

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1 clothing, food, that the mobilisation was in place. We've already said that.

2 However, when it comes to the operative use of the military, how it was
3 used in combat, how it was used to attack and defend itself, that was the
4 duty of the Main Staff, which at that time was me, or of course,
5 lower-ranking officers along the lines of the structure as it was.

6 JUDGE ANTONETTI: [Interpretation] Very well.

7 Madam Pinter.

8 MS. PINTER: [Interpretation] Thank you, Your Honour.

9 Q. General, when you were talking about Capljina and May 1992, you
10 mentioned the situation in Mostar as well. Would you like to describe
11 for the Trial Chamber the situation in Mostar in 1992, when you arrived
12 there?

13 A. We won't spend too much time on that, because the situation was
14 the same everywhere. There was a state of chaos, and it was particularly
15 awful in Mostar because the commander of the HVO forces in Mostar, the
16 only forces that existed at the time before my arrival, was a certain

17 Mr. Perak, and at one point, because he was a KOS man in the HVO, which
18 means that the Serbs had staged the game in such a way as to put their
19 own person as the commander of the HVO, and at one point, on the order of
20 the enemy side, issued an order for the troops and the people to withdraw
21 from Mostar. His explanation was the fact that the JNA was too strong,
22 that they would pound the city, and Perisic did that, of course, and at
23 the time had arrived for everybody to move out.

24 Luckily enough, the army of that kind does not always obey
25 orders. First you have to deserve respect and gain respect for your

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1 orders to be obeyed. So the nine HVO commanders, military commanders who
2 were in Mostar, refused to obey his order because they smelled a rat
3 there. They didn't understand why they should leave the town. They
4 refused to obey the order. Mr. Perak fled after that, and he is still
5 residing in Serbia, if he is still alive. His attempt failed, obviously.

6 However, if you find yourself in a situation like that, after
7 that there is a lot of mistrust against you, as a new person, and you are
8 compared to Perak.

9 And then something important happened, which is not documented by
10 any document, is the psychological feeling. Who the hell is Praljak,
11 what does he want? And people tend to trust only their neighbours,
12 people from their street, people with whom they grew up and had lived
13 with for 20 or 10 years. They are the only ones to trust. They will be
14 willing to accept you, albeit very slowly, when they see that you are

15 willing to die for them. That's what the Judges asked me yesterday.

16 To put it simply, I had to demonstrate not that I was a general.

17 The fact that I was a general, they were not phased with that. I first

18 had to take the road to Mostar and expose myself to Serb bullets, and if

19 I managed to get into Mostar alive, then I have won the right to command,

20 because they tend to say, Oh, this one takes

21 all the chances because he's as mad as we are. And then gradually

22 as I started touring the front-lines, I gradually gained the right to be

23 in command. And then you organise them, which I did, and that's how you

24 create something -- it was the beginning of some sort of a

25 crystallisation, and then all of a sudden people start -- good people,

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1 good lads, start rallying around you, and that's how the organisation

2 grows, and room for rumours and lack of discipline is reduced. And this

3 gains momentum, naturally, up to a point. It all depends on the situation, on

4 your capabilities, whether you're going to survive or not, how things

5 develop. But I repeat, the fact that a general arrived, that was not

6 instrumental in them obeying you or in listening to your orders.

7 JUDGE ANTONETTI: [Interpretation] General, you've just mentioned

8 Mr. Perak, saying he was an agent from the KOS. To your knowledge, the

9 HVO, and its various civilian and military bodies, had it been

10 infiltrated by the KOS?

11 THE WITNESS: [Interpretation] I didn't understand what you asked

12 me. Which two wings, Your Honour Judge Antonetti?

13 JUDGE ANTONETTI: [Interpretation] Well, there's a military
14 component in the HVO as well as a civilian component. In these two
15 components, to your knowledge, had the K-O-S, the KOS, infiltrated both
16 these components or in all of the HVO?

17 THE WITNESS: [Interpretation] Save for this Perak, who was a very
18 clear case because he was a career officer and he was chosen because he
19 knew how to command, because most of the others did not have any military
20 training, to be honest, Your Honours, I don't think so. I don't think
21 that later on nobody -- because of course there was a screening process.
22 Let me tell you this: There were some complaints about Mr. Prlic about
23 some people because he was once secretary of the Communist -- League of
24 Communists, and there were a lot of complaints about Blaskic when I went
25 there because he had been the commander of a battalion in the

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1 Yugoslav People's Army in Slovenia, and then as the war broke out, he
2 left the JNA and fled to Austria, and he did not get involved in the war
3 in Croatia, and then he arrived in Central Bosnia across the Serb
4 territory. And when I came up there after the fall of Jajce, there was a
5 lot of mistrust vis-a-vis Blaskic and questions as to how come he was
6 there, why was he not involved in the war in Croatia, why did he arrive
7 through the Serb territory. There was a lot of mistrust that had to be
8 overcome, and explain that all this is stupid because he is an honest
9 man. And then every command could prove that this was not the case,
10 because they went to the front-lines, where they could be killed. And if

11 they survived, then they could become lads who could be trusted, because
12 if he had been an agent, he would have not gone to places where he could
13 be killed.

14 However, my answer is not really conclusive. I can't say either
15 yes or no with any degree of certainty.

16 MS. PINTER: [Interpretation]

17 Q. When you were talking about Perak, I would like to ask you this:
18 Is this the same person that is mentioned in Mirsad Cupina's book that we
19 discussed yesterday? He mentioned the traitor, Vladimir Perak. Is that
20 one and the same person?

21 A. Yes.

22 Q. General, you were in charge of the operations to liberate Mostar.
23 Do you want to tell us something about them? Do you want to tell us how
24 you organised those operations and how they took place or do you want to
25 follow documents?

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1 A. Well, the thing is very simple.

2 After the 15th of May, 1992, the situation was not good.
3 However, I was preparing the troops for the operation to liberate Mostar.
4 I instilled that idea in their heads. I was telling them that we were
5 able to do that.

6 And secondly, I was drafting some plans and because of the fact
7 that I knew that if I had presented such plans in a meeting, as would
8 have been case in any normal army, that somebody will talk and that

9 Perisic or whoever was there will learn about those plans.

10 I never, ever revealed the whole plan to anybody. I took a
11 group, including Puljic, who was supposed to go to the north of Mostar
12 for some talks there, some lads who were supposed to cross the Neretva in
13 Mostar, and with Arif Pasalic, I also conducted some talks with each of
14 them separately. I also talked to the lads who were supposed to cross
15 the Neretva south of the Buna River. I held separate meetings with all
16 of them, and there is nothing to add to that.

17 Both operations were successful. We carried them out, and then
18 first the right bank and then the left bank were liberated, both, and
19 then the fields called Bijelo Polje north of Mostar was also liberated a
20 bit later. The operation in Bijelo Polje was held by Miro Andric, who
21 hailed from Bijelo Polje. He was an officer in the Croatian Army. Him
22 and his group were volunteers in the HVO. I managed to persuade them to
23 join the HVO.

24 And it is important to mention that at the time, Petkovic and
25 myself, and I also spoke with Susak about that, and we managed to

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1 persuade Jasmin Jaganjac, who is a Muslim and who was in command of a
2 brigade or a brigade composed of reservists in Imotski on the border of
3 Bosnia and Herzegovina, close to there; and he was in the Croatian Army,
4 we persuaded him to join us, a volunteer, and become the commander of the
5 defence of Mostar. This was my idea. We wanted to demonstrate to the
6 Muslims that they have Arif Pasalic over there, but that the HVO is also

7 under the command of a Muslim.

8 I know that Jaganjac had a lot of relatives in Mostar. I don't
9 know whether he, himself, was born in Mostar. And he was the commander
10 of the city of Mostar at the time. Under his command was also
11 Arif Pasalic, and there was no problem there at all.

12 And the third thing that I would like to say: The first
13 morning/night -- the third night, amidst that operation, when this
14 operation was successfully underway, I had to leave the command post
15 because President Tudjman inquired after me and wanted to have a meeting
16 with me. I joined the operation without ever having informed anybody
17 that I was going down there, and the operation had already been prepared.
18 I had to be there. However, I had to abandon the final stages of the
19 operation and hand over to Jasmin Jaganjac, who brought it to a
20 successful end, and returned to Zagreb. And this is all I can say about
21 that, save for the fact that on the 15th of May, Serbs expelled everybody
22 from the eastern side. Bridges were destroyed. The city was in rubble.

23 And what needs to be mentioned here is also the fact that at the
24 time when we crossed over to the eastern bank, or the day before, of all
25 the people who remained there, Croats and Muslims, a total of 150 people

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1 were killed in two separate locations.

2 Q. Sutina and Borak?

3 A. Yes, Sutina and Uborak, Uborak, which obviously, once we crossed
4 over, that is one thing that had to be done, and keep on hammering to

5 everybody that there would be no retaliation. And there was indeed no
6 retaliation against the Serbs in Mostar. There may have been individual
7 cases of retaliation, but not on a mass scale. There were 4.000 Serbs
8 who remained in West Mostar, and there was no retaliation against them.

9 Q. We can now move on and look at the documents. So the first
10 document in the binder is 3D02543, and I'd like to draw your attention to
11 the date of the document, which is the 13th of December, 1991. Have you
12 found it, General, the first document in your binder?

13 A. What did you say the number was?

14 Q. 3D02543, and it is a document from Milan Torbica, who was a
15 major-general.

16 A. I can't find that.

17 Q. I can provide you with my copy.

18 A. Just a moment. You said "02543"? I've found it. Yes.

19 Q. The date is the 13th of December, 1991, and it's an order for
20 engineering support. Yes, go ahead.

21 A. We've already said all this. In 1991, the Yugoslav People's Army
22 took control of all the positions around Mostar, Hum Hill, Orlovac, and
23 everything else, and encircled Mostar. It was completely under siege.
24 So I have nothing to add, that's 1991; and since then, they have been --
25 they were abusing the town -- that is to say, they used the reservists

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1 whom they had brought in. The map is 3D02553, a map I'd like to look at
2 next.

3 Q. All right. Is that Pantelic --

4 A. Pantelic, Milojko. Milojko Pantelic. It shows the positions of
5 the JNA around Mostar, the 10th Motorised Brigade specifically.

6 Q. On e-court, it is 3D32-0637. We have it on e-court. It's up on
7 our screens now.

8 A. Your Honours, you can see that they penetrated deep into the left
9 bank of the Neretva River. I don't know what you want me to say.

10 MS. PINTER: [Interpretation] Can we zoom into that general area,
11 please.

12 THE WITNESS: [Interpretation] I don't think we need waste time on
13 this. It's clear, it's quite clear. The map is there for all to see, so
14 we can move on. Give it an IC number, and if anybody has any questions,
15 I'm ready to answer them. But the map is self-explanatory.

16 JUDGE TRECHSEL: The map does not need an IC number, because no
17 signs have been -- nothing has been done to it.

18 MS. PINTER: [Interpretation]

19 Q. General, I know that you would like us to speed up, but I think
20 it is important to speak about certain documents because they're going to
21 show the ultimate result that was achieved through the orders issued by
22 Momcilo Perisic and the other JNA commanders.

23 So please look at document PD0191 [as interpreted].

24 A. What number did you say?

25 Q. 5D01091. 5D, 5D01091. It should be towards the end. It's a

1 document from the other Defence teams.

2 A. What number did you say?

3 Q. 01 -- 0191. Let's not waste time on that. We can move on. It's
4 on e-court. It's come up on our screens. It is a document from
5 Momcilo Perisic, dated the 19th of April, 1992. It's an order from him.
6 You've already said what you know about the opening of artillery fire in
7 Mostar. What more can you tell us? Anything to add?

8 A. We've already seen this document in this courtroom. I showed it
9 and explained it. Can we move on?

10 Q. But we have to address this.

11 A. No, let's show the results, how he destroyed the town. If I had
12 a hundred hours, I would explain everything, but, please, I can't deal
13 with Perisic any longer. Don't be angry at me. Let's leave it up to the
14 Judges to see how the town was destroyed. And it's the break now,
15 anyway, so we're not going to have time to do that.

16 MS. PINTER: [Interpretation] All right. May we take the break
17 now, Your Honours, so that we can prepare a videotape.

18 JUDGE ANTONETTI: [Interpretation] Yes. We shall have a break and
19 resume in 20 minutes.

20 --- Recess taken at 10.29 a.m.

21 --- On resuming at 10.54 a.m.

22 JUDGE ANTONETTI: [Interpretation] The court is back in session.

23 MS. PINTER: [Interpretation] Thank you, Your Honour.

24 Following your guide-lines or, rather, request, we have prepared
25 a video. It is 3D03130 and shows Mostar in 1992 after the military

1 operations by the BH Army.

2 THE WITNESS: [Interpretation] The HVO.

3 [Video-clip played]

4 MS. ALABURIC: [Interpretation] Your Honour, just to correct the
5 transcript. The correction was not the BH Army, but the JNA, whereas in
6 line 12, it says "the HVO."

7 THE INTERPRETER: [Voiceover] "This is the panorama of a sunny
8 Mostar. The panorama view of bright and sunny Mostar in firm embrace
9 will -- with the luring Neretva whose coast in the town itself were
10 connected through five beautiful bridges will remain only in hearts and
11 memories of the citizens and all the enthusiasts of this remarkably
12 wonderful town. Mostar, the city of bridges, remained without its
13 symbols in an unprecedented destruction of a mad enemy. The banks of
14 Neretva nowadays connected only through the old bridge, one of the most
15 beautiful and most magnificent bridges in the world. This 'petrified
16 crescent,' as the poets used to call it, emerged in 1566 from the
17 workshop of the famous architect, Mimar Hajrudin, and it represents a
18 masterpiece of Turkish architecture. This world's heritage historical
19 site on which one can see the protective blue-white UNESCO flag
20 fluttering is endangered by enraged Serbian-Montenegrin violent soldiery.
21 The bridge has already been hit by several artillery projectiles. It has
22 been damaged and well shaken, whereas a radio message has also been
23 caught in which criminal General Perisic still commanding, however from a

24 greater distance, seeks from his sightless executers to kill the soul of
25 Mostar, the bridge which is a part and name of symbol of this town.

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1 "There is hope, though, that this horrible crime will not take
2 place after all. In order to protect the bridge, it has even been
3 covered with planks, but each hope vanished regarding other bridges of
4 Mostar, which was dying one after another, creating an illusion to
5 enraged killers that they might create some new borders on the left
6 Neretva bank, Lucki Bridge, or bridge of Mujo Komadina, beloved mayor of
7 Mostar from the last years of the Austro-Hungarian reign, died first.
8 Mujo Komadina built this bridge, located only some 100 metres down river
9 from the Old Bridge with his own money. Shortly after that, the bridge
10 of Marshal Tito was also killed respectively, the King's bridge, as it
11 used to be called during the Kingdom of Yugoslavia, the most frequent
12 town bridge which connected the beautiful hotel Neretva built in a Mauro
13 style, a hotel which died in flame, celebrating its 100 anniversary and
14 on the other side the significantly newer hotel, the Bristol, which also
15 burned down. And then on the 11th of June, in a fierce assault of the
16 liberators of the troops of the HVO from Mostar, Siroki Brijeg and Citluk
17 consisting of Croatian and Muslim combatants completely cleansed the
18 right bank of the Mostar municipality, the enemy tore down other bridges
19 in a panic escaped. First the Carinski Bridge, also a magnificent
20 Austro-Hungarian establishment, which was located at the northern
21 entrances in the town; and then the youngest bridge of Hasan Brkic at the

22 southern exit of the town. Along with these four, a day later the enemy
23 brought down the fifth one, the so-called Avijaticarski Bridge. In the
24 southern Mostar suburb, which connected military airports Ortijes and
25 Jasenica. Taking into consideration previously-destroyed railway and

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1 road bridges from Jablanica to Capljina, the River Neretva, in the part
2 of some 80 of its long bed, has lost no less than 13 bridges. Only this
3 information speaks enough about the terrible destruction and huge war
4 damages, which were caused by the brutal aggressor in this part of
5 Herzegovina in less than two months.

6 "It is staggering to learn that the former JNA, having mined the
7 bridges two and a half years ago, speaks about long-term preparations for
8 a genocide scenario, which was created in the minds of paranoiacs,
9 whereby the so-called national army already then had an active role in
10 the realisation of the aforementioned. The bridges were brought down by
11 remote control, and it was therefore not possible to protect or defend
12 them. However, by the destruction of these bridges, Mostar and the
13 Neretva Valley were not split, but on the contrary, they got even more
14 connected, because there is no and there will be no right and left side
15 of Neretva River."

16 MR. STRINGER: Excuse me. Could we get the time-frame when the
17 footage was shot, because that's not indicated in the video or on the
18 exhibit list.

19 MS. PINTER: [Interpretation] The general wants to answer.

20 THE WITNESS: [Interpretation] The introductory shots of Mostar,
21 showing the town, they were taken from a helicopter. I don't know when
22 that was filmed. It was before the war, whereas this footage was taken
23 in August or September, thereabouts, 1992, because I managed to get in
24 Zagreb, from the then mayor of the city of Zagreb, Boris Bozancic, who
25 was an actor, he's an actor to this day, anyway, he became a mayor in the

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1 war, and he managed to procure 1.000 metres of some Kodak negative, and
2 then I sent one of my employees from the IPD, up to Pavelic there, and
3 Goran -- a cameraman, Goran Mecava. I managed to procure a camera and
4 sent them to Mostar to film what they could down there; just an archive
5 documentary. And this is the result. These are shots from that
6 material.

7 MS. PINTER: [Interpretation] I'd like to add an explanation. We
8 have the raw material, that is to say, the raw material film, which we
9 provided to the OTP, where all these scenes can be seen, but then there's
10 no text and no explanation, just the raw footage.

11 THE WITNESS: [Interpretation] Another thing, Your Honours. A lot
12 more was burnt down than was destroyed. This building, for instance, is
13 still standing. The walls are still standing, but it's been completely
14 burnt down inside. It's the cathedral on the west bank.

15 MS. PINTER: [Interpretation]

16 Q. Is that the cathedral?

17 A. Yes, it is.

18 Q. I think we can stop the video there. General --

19 MR. STRINGER: Excuse me. I apologise for the interruption
20 again, but it seems to me the record is not clear on this.

21 I'm looking at the exhibit list, and there is reference to two
22 videos with two different numbers. We have number 3D03130 in the
23 transcript, that's the number that was given at the beginning of the
24 first video; and if I understand correctly, the general said he does not
25 know when that footage was shot. Now, we have a second video that

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1 I think that we've just seen, which I believe, and I wanted to confirm,
2 is 3D03556, which, according to the exhibit list, is indicated as being
3 various video footage of ruined Mostar in 1992, taken by Goran Pavelic
4 and Goran Mecava. And so I wanted to just clarify, if we could, whether
5 3D03556, which is the Pavelic video, is the video that we've just seen,
6 the second clip, that was taken in, I believe, the general says,
7 September or October of 1992.

8 MS. PINTER: [Interpretation] Let me explain this technically,
9 General. Yes, the original video, the raw material, is 3D03556, but in
10 order not to just show the raw video, without any soundtrack, we played
11 3D3130 [as interpreted], which was on our 65 ter list with the additional
12 audio.

13 THE WITNESS: [Interpretation] I said that the footage of Mostar was taken
14 before the war from a helicopter, and that was taken probably from some
15 previous documentary, televised or whatever. Everything else, the destroyed

16 town of Mostar, the bridges and what you see here, was filmed by this crew,
17 the crew I sent down there. Now, whether there were some shots and frames
18 that were inserted there, I was not the only one who filmed it -- there was
19 a group of people that compiled the "Urbicide of Mostar" book, but, anyway,
20 I provided all this material to Zagreb Television, hoping that they compile
21 it and edit it. Other crews were there filming as well. But, anyway,
22 it's all 1992, the end of August, beginning of September, or thereabouts.

23 MS. NOZICA: [Interpretation] Your Honours, with your permission,
24 I apologise to Mr. Praljak, but I noticed a detail which you might have
25 missed.

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1 At the beginning of 3D3130, this tape, it says "Izudin Sehovic,"
2 the reporter, and his voice is other portion where the destroyed bridges
3 are shown, and that was a journalist of Television Bosnia-Herzegovina who
4 at that time made these reportages, and that refers to the first portion
5 where all the bridges are shown; Izudin Sehovic from BH Television, and
6 it shows the destroyed bridges. So this is from -- footage from
7 Television Bosnia-Herzegovina. There you have it. It says "Prepared by
8 Izudin Sehovic," who was a journalist at TV BH in 1992 who sent out
9 documentary reports of this kind.

10 THE WITNESS: [Interpretation] Thank you, Ms. Nozica. All I know
11 is I sent a crew down there and provided this 1.000 metres of negative,
12 which is an hour and a half of filming. Of course, they did the cutting
13 there and whatever else, and that's -- that was done by Izudin Sehovic.

14 I didn't do the filming myself, so I don't know what went into the making
15 of this whole footage, and I suppose other people went down to film as
16 well. I wasn't the only person. But I wanted to be sure that this
17 record would remain, and that's why I sent a crew to document it all.

18 Now we can look at the footage further and see just how much was
19 destroyed. Well, everything was destroyed.

20 This was set on fire. This building was burnt out inside.

21 MS. PINTER: [Interpretation] Just one more piece of information
22 while we're watching these images. The raw material from VHS to DVD, we
23 gave that to the OTP, and that lasts one hour and fifteen minutes. Now,
24 the Court asked us to show just 15 to 20 minutes of this video footage,
25 and so we chose this one, but we have the raw material, the actual taping

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1 by Mecava and Pavelic, the original source raw material, and it shows the
2 clap, the number, take 1, take 2, et cetera.

3 Q. And while we're watching these images, General, you mentioned
4 "Urbicide." What do you know about the book entitled, "Urbicide," which
5 is 3D00785 otherwise?

6 A. Yes, I do know of the book. I know how it came into being. I
7 know they had exhibitions dealing with "Urbicide" in Split, Zagreb, and
8 elsewhere. And what I am testifying to -- and in Paris as well. In
9 September -- well, I can't remember the date. Anyway, I toured the left
10 and right banks of the Neretva River, and I personally saw for myself the
11 kind of destruction that Mostar suffered at the hands of the JNA and the

12 Army of Republika Srpska.

13 This is the gymnasium, the secondary school, and it was burnt
14 down from the inside, because apart from the destruction of the buildings
15 on the outside, there was even more destruction down on the inside from
16 the fact that buildings had been set on fire and burnt down from the
17 inside.

18 MS. PINTER: [Interpretation] For the record, the number of the
19 book "Urbicide" is 3D00785.

20 THE WITNESS: [Interpretation] So I can testify that everything
21 contained in the book "Urbicide" is something that I, myself, saw and
22 experienced when I walked around.

23 MS. PINTER: [Interpretation]

24 Q. If we were to compare these images from the video with the
25 pictures found in the book "Urbicide," would they be the same, would they

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1 coincide?

2 A. Everything that these guys filmed -- this is the western part of
3 Mostar, what you see up there is the hospital. Let me repeat. It was
4 particularly the old part of Mostar that was destroyed, the small houses,
5 the Mahala, the central part of town. Of course, the residential
6 buildings are made of concrete, so a grenade just pierces them and sets
7 them on fire. They don't fall down. They remain standing, but burnt
8 out. I saw the mosques that were destroyed, and the two, I think, that
9 remain standing but were greatly damaged, so I walked around and saw all

10 that with my very own eyes.

11 I don't think we need waste any more time looking at these images
12 now.

13 MS. PINTER: [Interpretation] All right. We can stop the video
14 there.

15 JUDGE TRECHSEL: Mr. Praljak, a while ago when we first saw what
16 you said was the cathedral, a modern structure, you said it was burnt
17 inside, and then we saw pictures from inside and I did not see any traces
18 of burning. Do you still maintain that it was burned inside, as you have
19 said before under oath here?

20 THE WITNESS: [Interpretation] No, Your Honour, I didn't say the
21 cathedral. I was indicating the previous one. The cathedral was
22 significantly damaged, but it wasn't set on fire. You just saw the Old
23 Bridge, and I claim and maintain that what you see around the Old Bridge,
24 the armour, the cover, the second night we crossed across the Neretva,
25 that 40 to 50 people from the HVO put up an armoured cover and planks

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1 over the Old Bridge, and we erected that structure in the heat of a
2 battle, pursuant to my orders. And you have all these statements on the
3 subject that will be presented to the Court. And the main man was the
4 logistics person who --

5 JUDGE TRECHSEL: I want to quote to you what you are recorded of
6 having said here. Of course, there are always the errors that we know
7 can occur. It is on page 40, line 9:

8 "Your Honours, a lot more was burnt down than was destroyed.
9 This building, for instance, is still standing. The walls are still
10 standing, but it's been completely burned down inside. It's the
11 cathedral on the west bank."

12 And then the question:

13 "Q. Is that the cathedral?"

14 "A. Yes, it is."

15 So this was not what you wanted to say? Okay.

16 THE WITNESS: [Interpretation] That's exactly what I said,
17 Judge Trechsel, indicating the structure with the walls, the building
18 with the walls. And then the next image came up, and I said, That's the
19 cathedral. So, well, this is where I was saying it. This is the
20 building which was burnt from the inside, and it was far more burnt on
21 the inside than was destroyed on the outside. And then next is the
22 cathedral.

23 Can we continue with the footage?

24 And then I said that's the cathedral, and it turned out that I
25 said that the cathedral had been burnt down. I didn't say that. I meant

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1 the previous building.

2 JUDGE TRECHSEL: My recollection is a bit different, but I will
3 not insist here.

4 MS. PINTER: [Interpretation] We can repeat the footage, and you
5 will see --

6 THE WITNESS: [Interpretation] No, no. I said it very correctly.

7 MS. PINTER: [Interpretation] Very well, then.

8 JUDGE TRECHSEL: We don't have to go back on it. It's not really
9 that important. It struck me, because even from the outside I saw no
10 traces, and that's why I wondered how this -- whether this was really
11 burnt inside. But we can go on.

12 MS. PINTER: [Interpretation] If there are no more questions with
13 regard to this video footage and the book "Urbicide," I would like to
14 show just one more document about Mostar. This is 3D00004.

15 THE WITNESS: [Interpretation] Yes.

16 MS. PINTER: [Interpretation]

17 Q. Could you please comment upon this document for us?

18 A. There are two things that are important with regard to these
19 document. The first is the stamp. This is the stamp of the Independent
20 Battalion of the Defence of Mostar. This is the same battalion which was
21 at the origin of the 1st Mostar Brigade and then the 4th Corps of the
22 Army of Bosnia-Herzegovina. At that time on July 19, 1992, they had
23 their own stamp which depicted what we advocated all the time, a common
24 coat of arms of the Croatian and Muslim people's joint struggle and joint
25 command.

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1 And the second thing is this: Here they show one of the things
2 that permeate along the whole war. According to the list, they have
3 1.625 men and only 87 are in positions. On standby are 456 men or 466,

4 but it's neither here nor there. So when you add to those figures the
5 wounded, the sick, and those on leave, you can see that there are 600
6 people missing. They're not on standby, they're not on leave, they're
7 not on positions, and so on and so forth. They reported fictitious
8 people as being members of their units, although didn't exist, and from
9 the very outset this was not fair on their part and this was not good for
10 our common relations. And there were too few of their men on the
11 positions. Eighty-seven men, that's just two bunkers, because they had
12 to work in shifts.

13 So much about that.

14 Q. And after June 1992, did you return to Mostar in the course of
15 1992?

16 A. Yes, I did. I had a long meeting with Mr. Izetbegovic. But
17 before that, I have to say that the success of the HVO, with the
18 participation of Muslims in the HVO plus the Independent Battalion, who
19 also participated in all that, really meant a lot to Bosnia-Herzegovina.
20 This had been a major military operation, a successful military
21 operation, which raised the morale of all those who fought for
22 Bosnia-Herzegovina to a very high level, because up to then we knew
23 nothing but failures, and this applies to both the BH Army and the HVO.
24 This is why this was significant, and that's how I became significant as
25 somebody who never made any distinction between Muslims and Croats who

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1 wanted to have a joint army and worked towards that goal.

2 And when Mr. Izetbegovic came to talk, and he talked to Prlic and
3 so on and so forth, he also approached Mr. Hadziosmanovic, in order to
4 arrange a meeting with me, and we met in a flat in Mostar, and we had a
5 lengthy conversation which lasted for almost an hour and a half.

6 Q. What was the topic of that conversation?

7 A. There were a number of broad topics, but they all boil down to
8 two or three elements that I found very significant. The first element
9 was lifting the blockade of the city of Sarajevo. I said to
10 Mr. Izetbegovic that after the operations, the BiH Army and the HVO were
11 strong enough to be able to lift the blockade of Sarajevo from the
12 directions of Kiseljak and Hadzici. I did not develop the plans in
13 military terms, but that would have been my plan. I was surprised to see
14 the lack of interest in my proposals.

15 I am a very persistent person, and I keep on repeating things and
16 putting questions in order to receive an answer. However,
17 Mr. Izetbegovic evaded that. Neither then nor now do I fully understand
18 whether this was because he was not willing to lift the blockade of
19 Sarajevo, or maybe he didn't want the HVO to play such a role in the
20 lifting -- in lifting the blockade of Sarajevo. My arguments were that a
21 lot of people had already been killed in Sarajevo, and he was convinced
22 that the international community would intervene very quickly because
23 they would no longer be able to watch the number of dead and killed. My
24 argument was as follows: If the international community had wanted to
25 intervene, they would have intervened already. And if they did not

1 intervene after the first thousand dead and then after the second
2 thousand of dead, they would never intervene. And I was saying that the
3 siege would continue.

4 I don't know whether Mr. Izetbegovic was afraid that after the
5 blockade was lifted of Sarajevo, maybe people would flee the city
6 together with the military, but this would be in the realm of
7 speculation. However, he did not want to listen to my proposal to launch
8 an operation to lift the blockade in Sarajevo in a joint action between
9 the BH Army and the HVO.

10 Another important thing was my explanation according to which
11 after every -- even the littlest instance that was necessary to take
12 place between the two militaries, the rift would deepen and there would
13 be a lot more mistrust and that this would grow at an exponential rate
14 with time. I claimed then, and I keep on claiming now, when it happened
15 at the outset that somebody did something harmful upon somebody else, it
16 was still not looked from the position of ethnicity. It wasn't important
17 whether it was a Muslim or a Croat who did that bad thing. However, as
18 time elapsed, when a Croat harmed a Croat, that was part of the war
19 tactic, but if by chance in a pub, a Croat harmed
20 a Muslim, it was purported that there was a group of us against the group
21 of them. So instead of an individual, you all of a sudden have a group,
22 and that group with time would grow. One individual would become a big
23 group, and this would lead to a situation that would go beyond control.

24 I claimed then and I claim now, because this is science, this is

25 scientific proof, that if this is not prevented on time, it will become

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1 self-inflammatory, without any additional reasons, and it will lead to an
2 even bigger problem and an even lesser possibility to control such a
3 situation. That's why I implored Mr. Izetbegovic and I told him that it
4 was necessary for him to say publicly what kind of a Bosnia and
5 Herzegovina he intended to create and what his project with this regard
6 was.

7 I claimed then, I keep on claiming, that Mr. Izetbegovic never
8 put forth a public proposal of internal organization Bosnia-Herzegovina. I
9 claimed then and I claim today that this was absolutely necessary,
10 because every Bosniak and every Croat, and some of the Serbs as well,
11 would have been able to understand correctly what kind of a state they
12 were fighting for. His reply was this, Let's fight the Serbs together
13 and win in the war, and then we will agree. My answer then and now is,
14 Let's first agree, and then we will win in the war.

15 And in that respect, I've just remembered, and I will quote
16 Clausewitz maxim, which says: A war does not belong in the realm of
17 skills and science, but rather in the realm of a social life. War is a
18 conflict between major interests which are resolved in a bloody way, and
19 only in that war may be distinguished from trade. Politics are the belly
20 in which the war grows like an embryo. It delineates and forms its
21 future shape.

22 The third thing that we discussed at the time was for them to

23 seek a political solution, but while they were doing that my proposal was
24 to have a joint command between the BH Army and the HVO, because if we
25 didn't create a joint command, people would not be able to talk, they

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1 would not know each other, and people who carry arms and they know that
2 those arms can kill another person, become mistrustful, and that mistrust
3 grows.

4 When you see a person carrying arms, you have to be absolutely
5 certain that he's your friend. Otherwise, if you see an unknown person
6 carrying arms, you perceive him as an enemy because you don't know what
7 his intentions are. This instills fears, and fear results in crazy
8 reactions.

9 Again, I did not receive any answer. The answer was very
10 evasive, it was, Yes, no, we'll do our best, we'll try. Although in that
11 respect, I believe that Mr. Izetbegovic was much more inclined to a joint
12 command. He did have good intentions with this regard.

13 Subsequently, when I was in Central Bosnia, I learned that
14 Sefer Halilovic and the people who surrounded him did not want that.
15 They would not have accepted that in a million years. And he did not
16 have the power against Sefer Halilovic and other players, he didn't have
17 the power to resist them. And I'm going to show this in the books that
18 these people wrote about that, and these books have to be admitted into
19 evidence. You have to read the parts there in order to understand why
20 our efforts failed for the army to function as well as it could while

21 political solutions were being sought, and this would have prevented a
22 conflict.

23 A conflict is something that happens very easily in an army.
24 Somebody opens fire, the other responds, and then there is all-out
25 shooting. Everybody claims that the other person started first. The

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1 commander obviously has to react without being able to verify every
2 instance of shooting, and it's a tug-of-war. It takes two days for the
3 situation to calm down. The third day is calm. The fourth day, it
4 starts all over again. And this is all perpetuated if a joint command is
5 not set up.

6 This stamp on the document should have been the basis of
7 something that already existed on the ground, and in that respect I and
8 Jasmin Jaganjac, and Petkovic, and so on and so forth -- you've seen
9 hundreds of cease-fires and attempts. I claim and I will prove that
10 Sefer Halilovic, Muslimovic and people from the 3rd Corps and the
11 Mujahedin, prevented any attempts to create a joint command.

12 So much about that.

13 Q. Thank you.

14 A. Let's talk about Bura.

15 Q. Yes, this is what I was going to ask you. As regards Operation
16 Bura, what is it that you can tell us? 3D03159 is the map, and the name
17 of the operation is B-u-r a, Bura.

18 A. While this is being produced, I can say that the conversation

19 that I had was very pleasant. We talked like two gentlemen. I gave him
20 a gift of a military vest. He was in a military uniform. It was cold.
21 He was getting ready to go back to Sarajevo, and I told him,
22 Mr. President of the Presidency will be cold. Why don't you take this
23 vest as a gift. Of course --

24 MR. STRINGER: Excuse me. I apologise for the interruption. Can
25 we just get a clarification on the time-frame? The general's been

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1 talking about a meeting he had with Mr. Izetbegovic. He indicated at the
2 beginning that this occurred sometime after he returned to Mostar in June
3 of 1992, and I had the impression that the meeting had occurred around
4 that time. But now he's just made a statement indicating that the
5 weather was cold, and so perhaps he could just tell us exactly when that
6 meeting took place.

7 THE WITNESS: [Interpretation] I don't know how this is being
8 interpreted, but I'm very precise in everything I'm saying. I'm saying
9 it will be cold in Sarajevo. Mr. Izetbegovic was getting ready to go to
10 Sarajevo, and at that time it was cold in Sarajevo, not in Herzegovina.
11 And the exact date is the date when he spoke with Prlic and the others.
12 The date has been repeated here. You can find it in all the documents.
13 I can't remember the date exactly. However --

14 MS. PINTER: [Interpretation]

15 Q. October 1992?

16 A. Well, there you go, October 1992.

17 We have a map of Operation Bura. I don't know whether
18 Mr. Petkovic will testify. He knows a lot more about Bura because he was
19 the one who prepared it and conducted it. I participated in Bura as an
20 aid on the ground. Operation Bura was carried out on the 8th of October
21 or thereabouts in 1992 - it's neither here nor there, one day before or
22 later doesn't make such a difference - in order to repel the forces of
23 the Army of Republika Srpska even further afield. And the operation was
24 only partially successful. However, it was successful in that it
25 inflicted a lot of losses on the enemy, and also the strength and power

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1 of the HVO was demonstrated to them. Some muscle was flexed to show them
2 that they could not play games like they did at the beginning of the war.
3 And some parts of the BiH Army and all the Muslims in the ranks of the
4 HVO participated in the operation.

5 Q. Thank you, General. I think we can round off with Mostar in
6 1992, or rather we finished with that part, and we can move on to 1992 in
7 Prozor. And for us to do that, would you take up something that the
8 Judges have been given; that is to say, two files entitled
9 "General Praljak calms the situation down" or "quells the situation."
10 These are the documents. They look like this [indicates]. They're not
11 in a binder, but they're a set joined together on their own.

12 General, when did you arrive in Prozor?

13 A. The conflict in Prozor broke out -- was it the 23rd of October;
14 is that right? Yes, the 23rd of October, 1993. I described exactly --

15 Q. 1992?

16 A. Yes, that's right, 1992.

17 President Franjo Tudjman learnt about the conflict in Prozor. He
18 called me. I don't know the two dates, Uskoplje and the other one when
19 Izetbegovic was there, but it's more likely that Izetbegovic was there on
20 the 15th of January. And he requested that I go there to help calm the
21 situation down. And he said that a war with the Muslims must be avoided
22 at all costs. I didn't go in a helicopter, Judge Antonetti, no, I
23 didn't. I got into my car and drove down there and reported to Petkovic,
24 of course, or Stojic, and Arif Pasalic. And then Arif Pasalic and I --
25 well, the corps hadn't been set up yet. It was still the 1st Mostar

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1 Brigade, and he was the commander. Anyway, we went together towards
2 Prozor on the main road, and that's when he gave me a BH Army ID.

3 We reached Jablanica, and in Jablanica some Muslims who had left
4 Prozor were already pouring in. We tried to take the road towards
5 Prozor. However, there was shooting from unknown directions along that
6 road. And as we weren't able to set up any communication lines, we
7 weren't able to come into contact with any of the parties, so he asked
8 that we return to Jablanica. And in Jablanica, we held a meeting
9 together with some people who had escaped from Prozor. They were
10 Muslims. And this was in the hall of the hydroelectric power-station of
11 Jablanica. They told us their story. They complained and said that many
12 of their cars had been confiscated. I talked to them. I said that I

13 would do my best to go up there, break through up there, and that we'd do
14 our best to have them returned home. I did not, of course, promise that
15 their cars would be returned because people who steal cars, it's
16 impossible to catch them, to catch those people. And one should always
17 be realistic, so I said to them at the time that we didn't have the
18 means, the military police or anybody else, we didn't have the means to
19 catch those scoundrels, but we would certainly find some of them and some
20 of the cars. And then I said that the HZ-HB would most probably find the
21 money to pay them out in the form of damages, and I think that this was
22 done to a certain extent by Dr. Prlic.

23 We returned, and then I used the roundabout road through --
24 across Vran, Mount Vran, and I arrived in Prozor that way, and the
25 situation was completely chaotic. There was fighting going on. Shop

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1 windows had been broken. There was glass and shards on the road. And
2 there were some groups over there who were not HOS, not the H-o-s. They
3 were quite defined groups. I came into contact with Siljeg and Franjic
4 and the people who were there.

5 JUDGE TRECHSEL: Excuse me. I would like to ask you a question
6 and interrupt this as long as we still see it. It relates to page 55.
7 On line 5, you tell us that people from Prozor complained that their cars
8 had been confiscated, and then you speak about your response, and there
9 you speak of cars being stolen. Now, maybe there is a problem in
10 translation, but confiscation is one thing and theft may be a polemic

11 expression after cars have been unlawfully confiscated, but basically
12 between confiscation and theft, there is a clear difference. Could you
13 explain what you were talking about?

14 THE WITNESS: [Interpretation] Your Honours, it was quite
15 certainly not confiscation. They weren't confiscated. These
16 individuals, these groups outside the HVO, the HOS, and these undefined
17 groups, they either took somebody's car by expelling them out of the car;
18 or, B, they broke into a car that was on the road and drove it off
19 because the owners had left the area. So I do understand terminology,
20 but when I say -- well, they were left car-less, without a car. I didn't
21 investigate into what ways these were seized. There was certainly
22 vehicles that were seized and those that were stolen.

23 MS. PINTER: [Interpretation]

24 Q. Look at 3D00424 now, please.

25 JUDGE TRECHSEL: I'm sorry, I'm not quite finished.

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1 MS. PINTER: [Interpretation] Yes, I apologise, Your Honour.

2 JUDGE TRECHSEL: Just to make sure that I understand your
3 narrative correctly, and complete what you have told us, these people
4 came and told you, Our cars have been confiscated, and you translated the
5 term "confiscated" into "stolen" because you did not believe them, that
6 anything like a confiscation had taken place? Is that how we have to
7 understand it?

8 MS. TOMANOVIC: [Interpretation] Just a moment, please.

9 General Praljak is receiving the wrong interpretation. When you
10 say "confiscated," the correct translation of that is "konfiskovana"
11 whereas the B/C/S was wrong, and I wanted to explain what Judge Trechsel
12 meant.

13 JUDGE TRECHSEL: Thank you very much.

14 THE WITNESS: [Interpretation] Well, that's one problem, one part
15 of the problem. The other problem was there were a group of people
16 there, 50 or 60, who were shouting because they had been mistreated.
17 Now, the terms and expressions they used, Judge Trechsel, the language
18 they used, now, in all that chaos, well, I understand that you want to
19 hear the exact words they used, but it was all chaotic. I don't know.
20 They remained without their cars. They were left without their cars.
21 What they actually said, what words they used, well, I don't know.

22 I know that when I arrived in Rama, I saw a group who had taken a
23 car away from someone, and some witness spoke about that. I cocked my
24 pistol, they cocked theirs, and it was all I could do not to shoot and
25 have the car returned to the rightful owner.

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1 Now, you're going to deal with all these legal matters. I'm just
2 telling you about the facts, and you'll do the legal stuff. So, in that
3 conflict, who stole the car and who seized the car, I don't know...and I
4 wouldn't like to go into all that. I just told them that we would
5 search for the vehicles, that it was certain that we wouldn't be able to
6 find all the vehicles, and that I would do my best, to the best of my

7 ability, to ensure that they were paid out damages. That's the general
8 gist of my conversation with them, and that --

9 JUDGE TRECHSEL: Thank you, Mr. Praljak.

10 Paradoxically, by telling us it was not so clear, what you said,
11 you have clarified the matter. Thank you.

12 THE WITNESS: [Interpretation] And what I said was, We'll calm the
13 situation down and you'll be able to go home. But, you know, at meetings
14 of that kind, well, it's not an academic discussion. Let me just say
15 that.

16 JUDGE ANTONETTI: [Interpretation] General, I have a question in
17 order to clarify what's been said.

18 You said that this event in Prozor took place on October 23rd.
19 As far as you know, before October 23rd, had there been, in
20 Bosnia-Herzegovina, other places where there had been conflicts between
21 Muslims and Croats that maybe weren't as serious as in Prozor, but where
22 there had been tensions between the two groups which became very serious
23 and then calmed down? Were there other signs of prior tension?

24 THE WITNESS: [Interpretation] Yes, Your Honour Judge Antonetti.
25 I was informed through various channels about the tensions in Prozor,

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1 which started significantly earlier, and the tensions in Uskoplje and
2 Gornji Vakuf, which also began much earlier, and about the tension in
3 Novi Travnik, which broke out over some petrol pump or whatever. So it's
4 on the basis of those facts that I talked to Mr. Izetbegovic in the way

5 that I did.

6 I don't have time to bring in an expert from social psychology
7 here so that I could explain how difficult it is to patch up a lack of
8 confidence that suddenly occurs, a rift in confidence.

9 MS. TOMANOVIC: [Interpretation] I apologise once again, but on
10 page 58, the general was wrongly interpreted. On line 25, the general
11 said that he would bring in an expert. In the transcript, it says he
12 doesn't have time to bring in an expert.

13 JUDGE ANTONETTI: [Interpretation] I had understood, because the
14 French interpretation is better, and there's never a problem with the
15 French interpretation.

16 General Praljak, the reason I've asked this question is that
17 there was something behind my mind here.

18 Prozor, in the eyes of the OTP, was part of the joint criminal
19 enterprise, and therefore the point that needs to be decided by the trier
20 of fact is: Was this a typical example of this joint enterprise or was
21 it something that occurred that day, where the persons responsible were
22 local and not the leaders of the HVO and, even less, people in Zagreb?
23 That is what we must determine, and that is why I have asked you whether
24 there had been events elsewhere, and you've said, yes, there had been a
25 few, and that is why you discussed with Mr. Izetbegovic. So if I've

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1 understood correctly, you have confirmed that before Prozor, there had
2 been problems in other localities - maybe not as serious - but

3 nevertheless there had been tensions between the Croats and the Muslims?

4 THE WITNESS: [Interpretation] Yes, Your Honour. There had been
5 tensions between Croats, there was tension between groups of Croats
6 themselves. The people down there killed eight Croats in Herzegovina,
7 HOS with Kraljevic. In Ljubuski, they -- the Croats killed more people
8 amongst themselves than Muslims who were killed. So the army, an army of
9 that type, especially when it's not in the barracks and not undergoing
10 exercises, and when we don't know the aims, it's impossible to prevent.
11 The very fact that there are weapons increases human aggression two and a
12 half times, if you just put someone in a room where there's an experiment
13 going on, and that's why I'm going to discuss this with a
14 social psychologist and explain that the situation was inflammatory as of
15 itself, of its own accord.

16 And, Your Honours, in Prozor, along with the support of the
17 entire leadership of the HZ-HB and HVO, I pissed blood in my efforts to
18 try and deal with the situation. Now, I'd been asked from Zagreb. I had
19 Petkovic's support. Well, not Petkovic. He issued orders. I came to
20 Prozor and I talked to the Muslims, but there were some groups over
21 there, and quite simply you didn't know who they belonged to. There were
22 a lot of them. They were armed, and I had to run after them in Rama with
23 a pistol. And just at one point, when I saw that it was -- it couldn't
24 be dealt with only at the level of the army, just one meeting -- not just
25 one meeting, I had dozens of meetings, but at one meeting I invited 150

1 people, the most important people from all the villages.

2 JUDGE ANTONETTI: [Interpretation] I think we can stop there. I
3 would like to leave it up to your counsel to ask the questions now.

4 MS. ALABURIC: [Interpretation] Your Honour, if I may just
5 intervene. On the transcript, I understood General Praljak differently
6 to what was recorded on the page, lines 12 and 13. What it says here is:
7 "I had Petkovic's support. Well, not Petkovic. He issued orders."
8 That's how it reads.

9 General Praljak, would you explain to us in what sense you had
10 Petkovic's support, what you said with respect to orders because from
11 this, it would follow that you didn't have Petkovic's support.

12 THE WITNESS: [Interpretation] It was more than support. He was
13 the commander. He simply wrote down all the orders upon which the army
14 was to act. I helped him. I assisted him. It was vice versa, the other
15 way around. I was a worker in the field, somebody who shouts over there,
16 tries to settle things that way.

17 MS. ALABURIC: [Interpretation] General, we have a problem with
18 the record again. So what you just now said, would you say it slowly
19 enough so that all the words uttered can be recorded in the transcript.

20 THE WITNESS: [Interpretation] This is how things stand: It's not
21 Petkovic who was support to me. I was support to Petkovic and the rest
22 of the HZ-HB leadership. I was what is called a worker in the field, out
23 in the field, on the ground, implementing policy, which means I entreated
24 people. I held meetings. I shouted at people. I threatened people. I
25 shouted at the top of my voice. I would get out my pistol, things like

1 that. So in that respect, I was a good worker in the field, because I
2 tried to manage and harness chaos. It's not something that can be
3 resolved structurally. It was chaotic, and because of what I used to do
4 previously, as being a producer and director, I knew how to deal with
5 chaos better. It was part of my profession. So they -- I was a worker
6 in the field, on the ground. I had to pull out my pistol every so often,
7 grab people. At meetings, which I explained everything to them, at one
8 point in front of 150 people I took off my jacket and said, If anybody
9 wants to have a fight with me, he can step outside and I'll fight them,
10 if somebody wants to go to war with me.

11 So that's what the situation looked like. That's what the
12 atmosphere was like. And then I claimed that staying down there in the
13 field in that territory, this is true for Jajce and the rest, I remained
14 there until the conflict in Rama, Gornji Vakuf, and the entire area,
15 Konjic, Prozor and so on; and I managed to hold the situation under
16 control as much as that was possible, but without a political solution,
17 A, and, B, without a military joint command, and, C, with all the
18 elements we had whereby many in the BH Army wanted to have a conflict
19 with us, you can keep the situation under control for just so long and
20 then it will erupt again. And unfortunately nobody had absolute power in
21 that respect. You can do your utmost and work yourself to the bone, but
22 unless you have the right foundations, your house will topple ultimately.

23 Q. General, in response to Antonetti's -- Judge Antonetti's

24 question --

25 JUDGE MINDUA: [Interpretation] I have another question,

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1 Mr. Praljak, as regards the event that took place in Rama.

2 I see that you were very active in the field, according to what
3 you've just told us. In front of a group of people who had confiscated a
4 vehicle, you took out your gun, and apparently you were the -- they did
5 too, and you were the stronger of the two. Yesterday, you told a story
6 whereby you put your gun into someone's mouth, a person who was reticent,
7 and that you were successful.

8 Now, the question I would like to put to you is as follows: Over
9 and beyond your individual effort, what about your superiors; couldn't
10 they have given more men to help you, armed men, to be able to deal with
11 these situations? In other words, was there military police or was there
12 any kind of military justice to be able to deal with these special
13 situations?

14 THE WITNESS: [Interpretation] Let me explain this.

15 Well, with the car, there was that one isolated case in Rama. I
16 managed to seize the car from the three men that were trying to take it.
17 You did have the military police, but - you know what? - the conflict had
18 just stopped, and certain positions were still being held when I arrived.
19 In other words, someone has to be there as a litmus test for -- if two
20 groups had fought and there were three or four fatalities on both sides
21 or whatever, there is mistrust, and it's impossible at that time to

22 reconcile parts of the army, the HVO. The Muslims were wary and you needed
23 somebody to come in, and that was me, and it's impossible to join the armies
24 straight away. What I tried to do was to join up the civilians first. I
25 asked that 150 people be brought from the villages, prominent villagers,

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1 people who were prominent in their villages and trusted and respected in
2 their villages. So you would have to -- it's a heated atmosphere and you
3 have to instill reason into the people's minds, and it's very difficult
4 to establish a dialogue, to begin with.

5 From this document, you can see that a military police did exist,
6 because many of the cars were found.

7 MS. PINTER: [Interpretation]

8 Q. What do you mean is that?

9 A. 3D00424, and that's ten days after my arrival. Here we have an
10 order that I signed. And it was also signed, of course, by
11 Valentin Coric, although I don't think this is his signature. It's the
12 order to return the vehicles which had been -- which were located at the
13 stations of the 2nd Military Police Battalion. I think that was in
14 Livno. So they had been collected, and the ones that they managed to
15 seize from those types over there, that they be returned. So this
16 required 10 or 12 days of diligent work. I don't think that all the
17 vehicles were uncovered, but here you have the order whereby they should
18 be returned to their owners. And by this time, the situation had already
19 calmed down and most of the people who left their homes came back to

20 Rama. The town was cleaned up and set to right and so on.

21 I did have assistance. Well, Petkovic wrote an order, Siljeg
22 wrote orders, Franjic wrote orders, and the situation did calm down from
23 one hour to the next, from one day to the next. And after there's been
24 shooting, it's a slow process, especially so as there were groups still
25 afoot.

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1 And you can see from a document -- well, from the documents that
2 I looked through and that are in this file, the BH Army was preparing an
3 attack on Rama and Prozor, and, well, there weren't many of them. Well,
4 the problem burgeoned from one month to the next in Rama. First of all,
5 it was a problem of weapons, then the school, then the language, then the
6 fact that they weren't going up to the front-lines, and this grows and
7 grows, and then they had a meeting where all these questions were to be
8 resolved. Someone from Bosnia-Herzegovina, the BH Army, killed one or
9 two HVO members, and then everything erupted.

10 So you know, Judge Mindua, it doesn't start just like that, there's always a
11 preparation of several days, months...Preparing for war always takes several
12 years. There's something that is cooking inside, and then it erupts, and
13 then people say, That's when the war began. But all these things and wars
14 always begin much earlier on and grow little by little, and the greater the
15 conflict, the longer it is in preparation, whether preparations for World War
16 II, or the aggression in Yugoslavia, or the conflict in Rama. It grows.

17 JUDGE MINDUA: [Interpretation] Thank you.

18 MS. PINTER: [Interpretation] Thank you very much.

19 Q. General, let's continue going through the document about the
20 meeting that took part with 150 people.

21 Please go to 3D00291 and tell the Trial Chamber about the
22 meeting.

23 A. M'mm-hmm. Well, here the Security Information Service, the SIS
24 of the Defence Department, explains this. This was on the 1st of
25 December. A meeting was held of the operation zone, and after that there

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1 was a meeting with the extremists from among those who had staged the
2 conflict and hailed from the territories of other municipalities. I had
3 collected information, and based on that information I asked, requested,
4 demanded, shouted out to everybody to come and talk to me.

5 And then Mr. Salih Ruvic, whom I remember very well, whom I know
6 very well -- I found there's some people who had been arrested and
7 imprisoned. Of course, one did not care whether this was done with a
8 good cause or not. I didn't care one way or the other. I let them go
9 home. Somebody wrote that they participated or not.

10 At that moment, well, here you go Your Honour Judge Trechsel,
11 this might interest you, I simply used forceful order issuing to let
12 these people go, and then somebody beat Mr. Salih Ruvic up on his way
13 out. It was in the evening. I talked to him. We agreed that he would
14 go home, that he would gather people, and that he would come back for a
15 joint meeting. And then when I was supposed to -- when they came to the

16 meeting, at first Ruvic wasn't there, and then after he turned up, he was
17 black and blue after having been beaten. Now, as to who beat him up, not
18 in a million years can you learn that, but there was a lot of outrage.

19 I cancelled that meeting and called another meeting after that,
20 and at that meeting, now what did I say, what was I talking about? I
21 talked about all sorts of things. At the end, I threatened everybody
22 that they will have to face me. I know that I ended the meeting by
23 removing my coat and said, If any of you fools and idiots want to fight,
24 I'll be outside, and whoever can muster the courage to fight me, please
25 step out. This was done in order to bring things down from very high

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1 political and military spheres to the level where things were actually
2 happening on the ground.

3 Q. So this is the meeting in the motel?

4 A. Yes.

5 Q. With the elderly and respectable people?

6 A. Yes. I called elderly and respectable people. I let everybody
7 go from prison. I managed to patch things up very well and put things in
8 order. However, science will show that the next long conflict -- for a
9 next conflict to happen, it takes a lot less than for the previous one.
10 This is part of social psychology. If people had found themselves
11 embroiled in something, in a situation like that, the second time 'round
12 it takes a lot less for a conflict to break out than the first time, and
13 this is how the things spiral out of proportion.

14 And then I would add to that, rumours about Travnik: this
15 is happening in Travnik, or, the other thing is happening in Vakuf,
16 Muslims saying that we are strangling them, Croats saying that they have
17 attacked us, those rumours were killing us, killing the whole situation.

18 Q. Up to Prozor, were there any armed conflicts between the HVO and
19 the BH Army or rather the Territorial Defence --

20 A. As far as -- there weren't.

21 Q. There were just tensions?

22 A. Yes.

23 Q. And now I would like to ask you, since you were talking about
24 this -- I apologise. I apologise. The question was whether these were
25 only tensions.

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1 A. Yes.

2 Q. Likewise, it hasn't been recorded that you answered my question,
3 and my question was: Before Prozor, were there any armed conflicts
4 between the Territorial Defence and the HVO?

5 A. As far as I know, there weren't.

6 Q. Very well, then. Could you please look at 3D00418. You may have
7 to use the e-court.

8 A. No, I can see it.

9 Q. Very well, then. What can you tell us about the events described
10 in the document?

11 A. The document was sent by the TG Konjic to Mr. Sefer Halilovic.

12 This was written by Muslim commanders, and they wrote about their view of
13 the situation in Prozor and how things had transpired, according to them.
14 The document is a lengthy one, but I can, for example, say those things
15 which are true and correct.

16 This was my fifth departure up there with various peoples, fifth
17 or sixth maybe. I arrived there with Mr. Bozo Rajic and the local
18 commanders and three unknown members of the HVO, as they say. I really
19 don't remember, myself, whom I took up there, whom I took there to talk
20 to other people, and demanded them to talk to them. However, this report
21 was issued on the 4th of November, but I believe that it applies to the
22 situation that transpired a few days earlier, the 1st or the 2nd day.

23 It says here that the HOS, and it's obvious that they were grilling lamb
24 on a spit and that they were kicking a lily flag in the mud, which is true,
25 they did it, and they said that I did not have the authority and they did

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1 not listen to me, and this is also true. There were a lot of them under
2 arms, and all of my attempts -- I managed to deal with them later on, but
3 at that very moment those drunken youth with that lamb, I could not deal
4 with them, I couldn't do anything. And it is also true that I was
5 visibly up pleasant. And then I started issuing orders and giving
6 commands, and so on and so forth.

7 And what else is there? It says here under 3 that on several
8 occasions the general pointed out that the HVO held only Izetbegovic in
9 any esteem, and that's true. I was telling them that their commanders,

10 Hanefija Prlic [as interpreted] in Vakuf and some commanders simply were
11 working against the HVO, and I saw this with my own two eyes. And it was
12 obvious that Sefer Halilovic and the team around him played a double
13 game. While they were talking to us about calming the situation down,
14 simultaneously they were sending orders according to which Prozor had to
15 be taken. Divjak raised that. The documents have already been admitted.

16 So this is a very dirty, double game. On the one hand, they were
17 talking to me and I was working as a dog, trying to calm the situation
18 down; and, on the other hand, he writes that Prozor had to be taken from
19 the direction of Here. Zejnil Delalic was also the same kind
20 of player. He was saying one to me and doing another behind my back. We
21 thought that he is just stupid, and he couldn't see things. We were
22 wrong. The same thing was done by the BH Army in Rama. They had two
23 plans. I received them, and they took it; Plan A against the Chetniks,
24 and Plan B was against the HVO. And they had been preparing those two
25 plans for months. And when people see that, it's very difficult to

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1 establish any sort of cooperation.

2 After that, if you see somebody playing double games, games that
3 are not played with an open heart, and I also had a very hard time,
4 although I deliberately turned a blind eye to some things.

5 Look at the documents. All these documents have already been
6 admitted in this case.

7 Q. P00708, for example, is one of them.

8 A. It seems to me that this document also bears two stamps. We
9 believed at the time Mr. Jaganjac, who had already become
10 Mr. Izetbegovic's adviser for military issues, who also arrived in the
11 area up there -- it's very difficult for me to give you the exact date.
12 I recognise the dates in the documents. A joint stamp was crafted a bit
13 later.

14 On the 6th of November, I issued this order, and I believe that
15 it was the basis of all my talks with regard to the joint command. And
16 the elements were as follows: Firstly, that there should be order, order
17 should be installed to roads. Not every fool should have been allowed to
18 step out on the road, establish a check-point, and control whoever they
19 wished. If there were check-points, the check-points had to be manned
20 jointly by the HVO and the military police of the BiH Army. The
21 composition at the check-points had to be determined based on the
22 so-called ethnic parity or equal representation. Joint check-points had
23 to be established within the next 48 hours.

24 Ms. Nika, I can't see the rest of the document for the life of
25 me. Can you help me out, Ms. Nika?

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1 While this is being done and while you're looking for a document
2 that will help me out, I am going to see bullet point 5. This is
3 something I drew everybody's attention to. A set of village guards in
4 the villages, composed of people who were not in military units and
5 issued necessary weapons to them. I knew well in advance -- well in

6 advance that as the tensions mounted and when individuals and groups out
7 of control, members of the HVO and BH Army who were not on positions, who
8 were on furlough at home and had not handed over their weapons, it was
9 impossible. I'm sure that this would be happening. It is a statistical
10 given that I was sure that they would go to a village and commit a crime,
11 and that crime would be described either to the BH Army or the HVO. And
12 it was not a crime of the HVO or the BH Army, but a crime committed by an
13 individual.

14 In order to prevent this from happening, there should have been a
15 joint command in place so as to provide for the establishment of village
16 guards. In mixed villages, there were elderly people over the age of 60
17 who were to protect the villages from rift-raft, because none of the
18 armies had at any level of administration or power to protect 50 or 60
19 villages in the municipalities of Rama from some rapist or a murderer who
20 would creep into the village during the night. But that's why the
21 necessary prerequisite was to arrive at a joint command. And then I also
22 said that the weapons had to be handed over. There were plenty of
23 weapons around. Everybody was armed to the tooth. Order had to be
24 introduced to prevent anybody from turning up in any -- anywhere outside
25 the front-line carrying arms.

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1 I believe that this document that I issued as a commander,
2 although I repeat, you can see that I was tolerated both by the BiH Army
3 and the HVO, they accepted me as such, I obviously -- in legal terms, I

4 was not in a position to sign such a document. I did, however. I had
5 drafted it. I adhered to it to this very day.

6 And I go on to say that 64 members of the joint military police
7 had to be provided to Prozor municipality, with a half/half composition,
8 although there were more Croats there, but this is not how things should
9 have been looked at. I managed to do some things, and some I failed.
10 First we had some successes. Then it all crumbled, and then we would
11 have to start all over again.

12 Q. The part that you couldn't read refers to the military police
13 that were supposed to escort convoys and mixed joint patrols, but you've
14 already spoken about that?

15 A. Yes, I did.

16 Q. I would now kindly ask --

17 A. I claim once again that this was the basis or should have been
18 the basis of the way of thinking on the part of the HVO and myself, as
19 the forward representative of the HVO, and then this is how the relations
20 between the HVO and the BiH Army should have been regulated. I did not
21 meet with anybody's understanding. I would have installed order into the
22 HVO, but Hanefija Prlic [as interpreted] and other such people in the
23 BH Army -- I'm not saying that everybody in the BH Army was something
24 like that. There were people in Bugojno for example with whom -- or
25 partly in Travnik, there were people who wanted all this. There were

1 people in the BH Army who sincerely wanted this, but there were also

2 others who sincerely didn't want this, and there were a lot of them and
3 their numbers grew by the day. And that's how the Mujahedin came, and as
4 they kept on coming, the situation deteriorated.

5 Q. Just for the record, General, could you please repeat the name of
6 the person who could not be put under control? You said "Hanefija" --

7 A. Prijic.

8 Q. Prijic, did you mean Prijic?

9 A. Yes, Prijic, also known as Para. And some others in Vakuf were
10 of the same kind.

11 Q. And now could you please look at document P00727 --

12 JUDGE ANTONETTI: [Interpretation] General, the document we have
13 before us has two stamps. The 6th of November, 1992, and there's a
14 number also, 01-2496/92, this document is addressed to all HVO and ABiH
15 members. When we read these documents and we look at the stamps, we may
16 have the feeling that are a self-proclaimed commander of the joint
17 command and you are giving orders to the HVO and the ABiH Army. These
18 orders are detailed in items 1 to 11, and you impose a cease-fire in
19 Prozor between 6.00 p.m. until 6.00 a.m.

20 So far, you have told us, until this morning, that you went to
21 the Republic of Bosnia-Herzegovina, then you went back to Zagreb, and you
22 were there to give a "helping hand," in inverted commas, to
23 General Petkovic. This document does not fit in with this theory whereby
24 you were providing support or aid. This is a document from a commander,
25 a chief, somebody who is taking drastic measures and who orders a whole

1 series of things.

2 How can you reconcile your mission as a volunteer, coming to give
3 a helping hand to your comrades, with this document?

4 THE WITNESS: [Interpretation] There's just one explanation that
5 is truthful, and this is as follows: In that job to create a joint
6 command, I was accepted both by the Muslims and the Croats; hence, this
7 was a job that already involved Mr. Jaganjac, working together with me.
8 He had already been appointed an adviser to President Izetbegovic, and
9 from his speech, I could conclude that at least verbally I was supported
10 by Mr. Izetbegovic. Arif Pasalic had nothing against it. I believe that
11 he stamped the document, but I'm not sure. Petkovic had nothing against
12 this, because he was involved in the same job, he was trying, via
13 Sarajevo, and I'm going to show today -- maybe today, if the book is
14 prepared, when he went to Sarajevo to meet with Mr. Sefer Halilovic, who
15 wouldn't meet with him, and said to his deputy, Croat, I don't want to
16 talk to this Ustasha, they're all Ustasha down there. I'm going to show
17 you this in a book.

18 However, in legal terms, Your Honour Antonetti, you're absolutely
19 right. There was no basis for me to sign this. This was the violation
20 of the organisation of the army that you are familiar with. That's true,
21 you are correct. However, given the state of chaos that reigned up
22 there, I did, with the permission, meaning nobody objected, they gave me
23 tacit support, I issued orders in the hope -- well, they did have a
24 certain effect, they were successful, but my ultimate hope was that they

25 would result in a joint command. In any other military, I would have

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1 been put into prison for having done a thing like that.

2 JUDGE ANTONETTI: [Interpretation] Yes, that's precisely why I put
3 the question to you.

4 You give us a small detail. You said that Arif Pasalic put the
5 stamp on here. Arif Pasalic, of course, is dead, and he will not be able
6 to confirm this. Since you are under oath, do you ascertain that
7 Arif Pasalic stamped the document as well?

8 THE WITNESS: [Interpretation] No. I think he did. After such a
9 long time, I don't remember. I can't be sure that Mr. Pasalic -- the
10 late Mr. Pasalic did it. What I'm saying is it seems to me that he was
11 the one who did it, but --

12 JUDGE ANTONETTI: [Interpretation] My last question of a technical
13 nature: Why this document, which is an important one, and you mentioned
14 what you wanted to do with it, why was this document not signed by
15 Muslim, a Muslim, Arif Pasalic, Jaganjac, or some other person? Why
16 didn't you think of having this signed by a Muslim authority?

17 THE WITNESS: [Interpretation] Your Honours, from later documents
18 you'll see that there are some signed by Mr. Jaganjac and by me and that
19 there are other documents where I appoint a command for the return and
20 liberation of Jajce, but all the documents are of the same type. Some
21 are joint ones, with joint stamps. I don't know why this particular one
22 wasn't signed by anybody. I can't remember the circumstances and the

23 reason. But, anyway, they're identical documents, documents of this type
24 that we're going to show later on referring to Central Bosnia, which, in
25 view of my informal role, would be impossible in any other army. They

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1 wouldn't have had validity, and somebody would have locked me up if I
2 were to write them of my own accord.

3 But it is true and correct that Mr. Jasmin Jaganjac, and he was
4 Izetbegovic's military adviser, and I, that we had - how shall I say
5 this? - support, I from the HVO and he from certain BH Army structures,
6 to try and do that.

7 So you'll in the documents that I'm going to show you the extent
8 to which this upset Sefer Halilovic and what he did until the end of
9 April. He sent Jasmin Jaganjac packing, never to return to the army or
10 politics, and that's when our final efforts fell through. And this went
11 on for months.

12 JUDGE ANTONETTI: [Interpretation] Very well.

13 We have to have a break now. It is just about 12.30. We shall
14 have a 20-minute break and return in 20 minutes' time.

15 THE INTERPRETER: Interpreters note, please replace "cease-fire"
16 by "curfew."

17 --- Recess taken at 12.30 p.m.

18 --- On resuming at 12.51 p.m.

19 JUDGE ANTONETTI: [Interpretation] We shall resume.

20 MS. PINTER: [Interpretation] Thank you, Your Honour.

21 Q. General, turn to document P00720. If it's not legible, you can
22 see it on your screen. That's your signature?

23 A. Yes. I gave it some thought, and I'm almost certain that at the
24 time when I signed this previous document, Mr. Jasmin Jaganjac had
25 already taken the oath for the BH Army and that he had become -- he

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1 became the military adviser to President Izetbegovic. And we worked
2 together, and we speak about an agreement to form a joint command, and
3 that Juka Prazina's units should be placed under a joint command to be
4 coordinated by Slobodan Praljak and Jasmin Jaganjac. So at that time he
5 was quite certainly already the military adviser to
6 President Izetbegovic, and in that respect I had the legitimate authority
7 to sign orders of this kind because, quite simply, well, there was no
8 opposition to that, especially since I had an ID from the BH Army. So,
9 in a way, I was in both armies.

10 Q. Would you now turn to document P00727, please.

11 A. Yes.

12 Q. This was also signed by you; is that right?

13 A. Yes. And we had to save Travnik after the fall of Jajce, because
14 there was complete chaos, and after all the soldiers that were routed and
15 stormed through Travnik and the enormous quantity of refugees, and the
16 defence of Travnik, and then from the whole of Central Bosnia towards
17 Sarajevo did not in actual fact exist. And I'll talk about that later
18 on.

19 But, anyway, I appoint a temporary commander, Blaskic.
20 Ante Prkacin, who was a HOS general, that's how he represented himself,
21 and he was confirmed as -- by Izetbegovic as a member of the BH Army.
22 And then the third man was Mr. Arif Pasalic, who had arrived from Mostar
23 and at that time was up there together with me. And this stamp on the
24 left was made as a stamp of the joint command, and Jasmin Jaganjac issued
25 instructions that this stamp be made up.

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1 Q. Thank you. Now look at document P00776.

2 A. The deputy chief of the Main Staff of the Supreme Command of the
3 BH Army, Mr. Jovan Divjak here, in actual fact he confirms my order, and
4 it says: "Signed by General Praljak" up there in the introduction. And
5 he goes on to say that pursuant to that order, the HVO and the BH Army,
6 he then issues a similar order for Jablanica, or Konjic and Jablanica. I
7 don't know. Anyway, the essential point in this document is the fact
8 that he conveys and confirms that my order was legal and lawful. And
9 through the merits later on of General Petkovic and so on, we managed to
10 move towards setting up a joint command, at least with some people.

11 Q. In the introduction to this document, it says that this was based
12 on an agreement reached at an expanded meeting of the representative of
13 the BH Army and representatives of the HVO Staff. Now, General, have you
14 already spoken about that meeting to us here today?

15 A. I don't remember. It's difficult to remember all those meetings,
16 there were so many of them. All I want to say is that I did not act as

17 some idiot individual who came to meddle in affairs that didn't concern
18 him. I went from Zagreb -- I left Zagreb because Franjo Tudjman
19 certainly had agreements with Alija Izetbegovic, and then down there I
20 managed once again, together with Jaganjac and Petkovic and Arif Pasalic
21 and Prkacin, to try and do something, and I managed to defend Travnik
22 successfully. And at that time, there were no conflicts. The conflicts
23 were stopped. Some joint actions were decided and launched. We defended
24 Travnik together, and until after the new year of 1993, that whole
25 period, followed the right road, and gave us hope that we would be

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1 successful.

2 Q. General, you mentioned Stjepan Siber's book. You wanted to refer
3 to it. We haven't prepared for it today.

4 JUDGE ANTONETTI: [Interpretation] Well, you know that I'm always
5 very much interested in the documents, and this is an important document
6 which credits the other documents that we examined earlier. But to be
7 absolutely certain, could you tell me exactly what the function of
8 Jovan Divjak was within the BH Army?

9 THE WITNESS: [Interpretation] The deputy chief of the Main Staff,
10 the third-ranking person in the hierarchy or, rather, the second-ranking
11 person in the hierarchy, because over there the chief was
12 Sefer Halilovic, he was number one, and his deputy was Jovan Divjak. He
13 was number two in the hierarchy of the BH Army at that particular moment.

14 JUDGE ANTONETTI: [Interpretation] Fine. Now, the document comes

15 in with the stamp from Jablanica on the date of November 20th -- to
16 Jablanica, at the BH in Jablanica; is that correct?

17 THE WITNESS: [Interpretation] Yes, you're right there. In the
18 subsequent document, you will see that at that time Jovan Divjak came to
19 the area. I believe that he was even arrested by some elements of the
20 BiH Army, obviously those who -- Jovan Divjak is a Serb, he's a Serb. As
21 far as I know, and there are documents to that effect, he was charged
22 with something, and they kept him in custody, in prison. The Army of
23 Bosnia-Herzegovina did that. Some renegade commanders from Konjic
24 arrested him.

25 JUDGE ANTONETTI: [Interpretation] Very well.

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1 MS. PINTER: [Interpretation]

2 Q. General, below the title of the Staff of the Supreme Command, it
3 says "IKM Konjic." What does that mean?

4 A. It stands for the forward command post. Every time when the
5 Main Staff of the BiH Army sent a high representative to a place, the
6 place where that person was sent was established as a forward command
7 post.

8 Q. And this order was sent to Jablanica, in the direction of
9 Jablanica?

10 A. Yes, this is an order. He is ordering whatever he is ordering.
11 I don't want to go on reading.

12 Q. But the honourable Judge asked you whether he was in Jablanica.

13 A. I don't know. He was in Konjic. He was in Konjic, that's for
14 sure.

15 Q. As a representative?

16 A. Yes, at a forward command post there.

17 MS. PINTER: [Interpretation] Thank you very much.

18 Your Honours, we have not prepared copies of Stjepan Siber's book
19 for you. The general wants to refer to just one part of the book. The
20 book will be prepared when we talk about Central Bosnia. However, if
21 it's in well with the hitherto presentation of his --

22 MR. STRINGER: Mr. President, the book's not in the e-court with
23 a translation. The Prosecution objects to its being used at this time.

24 JUDGE ANTONETTI: [Interpretation] Well, Madam Pinter, there's a
25 technical difficulty here, but you can get around that by asking the

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1 question about the book which was published by Mr. Siber and what was in
2 that book regarding the topic we're discussing. You can deal with it
3 that way.

4 MS. PINTER: [Interpretation] I will avoid that, but I'm going to
5 give you the page number in e-court, which is 3D40-1167 in the English
6 version. The document number is 3D03535. I've already said that, and
7 the English page number is 3D40-1167.

8 MR. STRINGER: Sorry, that's 3D0 -- I think what we have in the
9 transcript has too many digits in it. Is it --

10 MR. KOVACIC: One "0" too much.

11 MR. STRINGER: It's 03535? Thank you.

12 MS. PINTER: [Interpretation]

13 Q. General, in Stjepan Siber's book, you wanted to point to a
14 chapter that fits in nicely with what we have been discussing so far?

15 A. Yes. We will come back to the book, which is the war diary for
16 the year 1992. The title of the book is "Deception, Misconceptions and
17 Lies." I would like to refer you to a very short chapter that you said,
18 and this is the 7th October 1992.

19 THE INTERPRETER: The interpreter's correction: "Deception,
20 Misconception and the Truth" is the title of the book.

21 THE WITNESS: [Interpretation] Mr. Siber, who was person number
22 three in the Army of Bosnia-Herzegovina, he says that for that day a
23 meeting was scheduled with a representative of the HV. In the morning, I
24 was trying to convince Sefer Halilovic he had to persuade him, because I
25 was informed that Petkovic would also be there, that he would also

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1 participate in the talks. Sefer turned this down, he refused to listen,
2 and now he quotes:

3 "Sefer, I don't want to talk to any Ustasha.

4 "They're all Ustasha down there except for you."

5 This is what Sefer says to Siber. Siber is a Croat, and that's
6 why he's telling him that. He goes on. Siber answers Sefer, and I
7 quote:

8 "Sefer, what's your words? If you think that that statement of

9 yours is something that I find appealing, then you are terribly wrong.

10 "Very well. I was just joking," replied he with a cynical smirk.

11 And then Siber kept on insisting attending the meeting which
12 would also be attended by Ganic, Kljubic and others; and it would be
13 pointless for him, Sefer, not to be there. And Sefer Halilovic replies:

14 "Lie, Stjepan. Use any lie you want. Tell them I'm sick, that I
15 have a high fever. Get me out of this mess."

16 Vehbija Karic and Bena Fabijan [phoen] went to the meeting, and
17 on behalf of the Herzegovina HVO, as they call it, which was not the
18 Herzegovina HVO but just the HVO. We came to the building of the Presidency
19 of the Republic of Bosnia and Herzegovina in Sarajevo, Milivoj Petkovic,
20 also Blaskic, Kostroman, Zarko Keza from VOS, who has already been mentioned
21 here as the chief of VOS in the Main Staff of the HVO, and Bandic, the same
22 Ivan Bandic who testified here not so long ago. And on the other side,
23 there were Ganic, Kljubic, Dahic, Hebib, and a team from the BiH
24 Army, minus Sefer Halilovic. He goes on to say that the meeting was joined
25 by Generals Morillon and Razzak [phoen] --

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1 MR. STRINGER: Excuse me. Mr. President, I don't know that
2 Ms. Pinter has found a way to get around the technical difficulty that
3 the President identified a few moments ago. What is happening here is
4 the general is reading a book, which, unless I'm wrong, somebody can
5 maybe correct me, but I don't see any English translation anywhere, so
6 he's just putting into the record, into the transcript passages of a book

7 that we don't have translations for. It's unfair to do this to any
8 party, including the Prosecution.

9 JUDGE ANTONETTI: [Interpretation] Mr. Stringer, from a technical
10 point of view, you are right, but the fact is we do not have the book in
11 the e-court system. General Praljak is under oath. You can imagine that
12 he's not going to run the risk of reading anything different from what is
13 on the page so that we then discover that there's been perjury. So when
14 he is reading out of the book, he must be reading word for word.

15 Now, as regards the translation, he's reading in his own
16 language. The interpreter in the English booth has translated into
17 English and in the French booth into French, so we're able to follow. Of
18 course, if we do not have the book, with a full translation, we shall not
19 be able to admit it as such.

20 The question is whether or not this meeting took place.
21 Apparently, yes, because Siber says that was the case. And when you
22 interrupted General Praljak, I believe I heard that General Morillon was
23 also present. You interrupted him at that point, so I'm not quite sure
24 exactly what he intended to say at that point.

25 This being said, there is a mistake in the transcript, but I

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1 don't remember which line it was. At a given point in time in the
2 English text, it's stated "VONS," whereas I believe General Praljak
3 referred to someone from the HOS.

4 THE WITNESS: [Interpretation] VOS, the Military Intelligence

5 Service which was part of the Main Staff of the HVO. Zarko Keza was its
6 representative. And in addition to General Morillon, there was also
7 General Razzak Korvazak [phoen]. The book has been translated. I
8 just -- since we are discussing this thing, I just wanted to show, and I
9 did it on purpose, who was the one who was undermining all the efforts.

10 When it comes to Mr. Sefer Halilovic, the chief of the Main Staff
11 of the Army of Bosnia-Herzegovina, his colleague from the JNA,
12 General Petkovic, and all of us here, he sees all of us as Ustasha. And
13 you will see later, in his other statements, for him we are Ustasha.
14 Nothing could be established with this man. He was, and I can bring
15 proof to that effect because the BH Army interviewed him, he was a KOS
16 associate, the associate of the Counter Intelligence Service of the
17 Yugoslav People's Army. This is what I'm trying to demonstrate, how the
18 efforts fell through and why.

19 Petkovic and his team, they all went to Sarajevo. Obviously,
20 Morillon was aware of that. And then Sefer says, Lie, I'm not going, I'm
21 not talking to Ustasha. He's going to repeat that in Geneva and
22 everywhere else. This is the crux of what I am saying here.

23 How come that painstaking efforts, which lasted for months, fell
24 through, and why there was no cooperation between the Muslims and Croats,
25 this sentence goes to prove that.

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1 JUDGE ANTONETTI: [Interpretation] I understand. You're saying
2 that Halilovic played a game, so to speak, that wasn't along the same

3 lines as Mr. Izetbegovic. That's what I've understood. But did he agree
4 with the Young Muslims that we talked about yesterday, or was he
5 dependent on the Serb KOS, K-o-s, or was he playing some other game?

6 THE WITNESS: [Interpretation] A, he was not a Young Muslim, as
7 far -- B, he was totally opposite to Izetbegovic and he undermined all of
8 his efforts, and he says so in his book. And another BiH general,
9 Muslimovic, also writes about that. He used the most derogatory terms
10 when he talked about Izetbegovic. He called him an old fart. And this
11 is the Muslim generals who talked about all that. He played his own
12 game. Before the war, he was a member of KOS. Whether he remained that
13 during the war, I leave it to others to be the judge of that.

14 However, it is things like that that resulted in the attack of
15 the BiH Army on the HVO, him and the like-minded people. For him, we
16 were Ustasha. All Croats were Ustasha for him. And if he possibly
17 signed something, he did it in bad faith, he did it only if he had to,
18 under duress. Everything he did in the war until Neretva-93, 1993,
19 everything was against the Croats, against the HVO; and this is what I am
20 claiming, and this is what has been demonstrated. It's not that Praljak
21 is confirming this. Siber is confirming this. General Muslimovic does
22 it, too, in his own book. And Sefer Halilovic also confirms this in his
23 book.

24 And this is what I'm going to introduce, and I just wanted to
25 show the honourable Judges why everything that I will go on exploring,

1 why the whole efforts involving Jasmin Jaganjac and others fell through,
2 not because the HVO wanted it to be so, but rather because these people
3 from the BiH Army produced the conflict and attacked the HVO.

4 MS. PINTER: [Interpretation] Just for the information of the
5 Chamber, the English translation is 3D02647. However, the page from
6 which the general was reading is 3D40-1167. I misspoke, because we have
7 two numbers for the back. One is for the Croatia version and the other
8 is the English version, and that's why I made a mistake when I quoted the
9 number of the first document.

10 JUDGE ANTONETTI: [Interpretation] Madam Pinter, when you quote
11 numbers, please go a bit more slowly, because there are numerous
12 mistakes. So please slow down when you read out numbers, because our
13 interpreters do excellent work, but there are times when it's very
14 difficult to follow at high speed.

15 MS. PINTER: [Interpretation] Thank you, Your Honour. I'll do my
16 best, really.

17 Document number 3D02647, this is where you will find the English
18 translation of the book.

19 MR. STRINGER: I appreciate counsel is giving me the reference,
20 now that the general is finished reading from the book. It would have
21 been useful five or ten minutes ago, but thanks anyway.

22 MS. PINTER: [Interpretation] Unfortunately, I was not able to
23 find it sooner.

24 Q. General, could we now move to your testimony about Jajce, about
25 the events preceding the fall of Jajce, during the fall of Jajce, and

1 following the fall of Jajce, and your activities in that respect?

2 A. Thank you.

3 MS. PINTER: [Interpretation] For the Trial Chamber, we have
4 submitted a short file. The title is "Jajce 1992."

5 THE WITNESS: [Interpretation] I'm going to recount briefly and
6 refer to the global part.

7 After the lull of Rama, Konjic, Vakuf and so on, I went back to
8 Zagreb for a short time to deal with the affairs there, and then
9 Dr. Gveric turned up, and of course I had heard the information, too,
10 that Jajce was about to fall. Dr. Gveric asked for assistance with
11 respect to the armoured bus, a monstom [as interpreted] of a bus to pull
12 out from Jajce, a monster.

13 Q. And Dr. Gveric was where?

14 A. The Gveric from the HVO, from the Main Staff, the Health Service.

15 Anyway, after we tanked up the bus and it set off, knowing what
16 the situation was, I went, too, I went down there. The situation --
17 well, there was a repeated meeting with Petkovic, a hasty one, and then
18 we tried to see if there was any chance of sending units which would help
19 save Jajce.

20 General Petkovic gave permission for some HVO units to advance
21 towards Jajce. Secondly, some parts of the military police of the
22 BH Army from Mostar were also supposed to -- or, rather, wanted to move
23 towards Jajce. And, third, Prkacin, who was a HOS general and recognised

24 by Izetbegovic as part of the BH Army, brought in a group of 400 people,
25 400 men, to Capljina, who somewhere from Croatia had reported as

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1 volunteers and said they wanted to go and defend Jajce.

2 So this group of 400 men was more than 70 percent Muslim. In the
3 Capljina barracks they were supposed to be equipped. And this matter
4 with General Prkacin was done together with Bruno Stojic to provide clothes
5 for them, to give them weapons if they needed some extra weapons and weren't
6 equipped properly. And once they were equipped, they advanced on Jajce.

7 And then -- and of course we have a precise report about all that. An
8 unbelievable situation took place whereby the BH Army did not want to
9 allow and, in fact, stopped these smaller units and this bigger one,
10 because it was 400 strong. They would not allow them to pass towards
11 Gornji Vakuf, and especially not from Gornji Vakuf onwards, where they
12 held control. They didn't allow these units to advance and defend Jajce.
13 That was, A, quite incomprehensible, and if there was any desire on their
14 part to fight a joint battle, and, B, this was an indication that
15 something was amiss, seriously amiss, in that whole play of theirs, and
16 that they consider us anything else but their foes.

17 And Prkacin, we'll come back to his report. We see how he --
18 what he tried to do. Anyway, these people were mistreated along that
19 route for days, and they weren't able to break through at all and had to
20 return ultimately. And the military police that was sent up there to
21 help were unsuccessful; the HVO military police, that is. They weren't,

22 nor was the BH Army police able to pass. They sent them back, too. So
23 you can understand it from a different perspective altogether.

24 Now, I, myself, managed to get through. I passed through all the
25 check-points. Well, I know -- well, if somebody stopped me, I would

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1 shout at them, and while they would find their way, I would pass through.

2 Anyway, the situation in Travnik was terrible. There was
3 soldiers who had stormed through the town and left, and the HVO soldiers
4 went to Herzegovina. Nobody could stop them. The BH Army soldiers went
5 towards Vakuf. That's the brigade -- the Jajce Brigade that was set up
6 in Jajce later on. But nobody stayed in Travnik. In Travnik, there was
7 some BH Army command there, some sort of headquarters in a house that was
8 called "Plave Vode," or "Blue Waters," and the command of
9 Tihomir Blaskic, and the defence line simply did not exist. And when he
10 managed to send his unit back because he wasn't able to get through,
11 Prkacin did eventually get through. So Prkacin sent his men back, but he
12 managed to get through. And then later on, quite a bit later on,
13 Arif Pasalic arrived.

14 At the beginning, I was alone with Blaskic, and then at my own initiative
15 I took over the management of the chaos and the defence of Travnik. I tried
16 to contain the chaos, because Blaskic was a trained soldier who commanded a
17 battalion, and he had his remit. For example, after we toured the
18 positions at which a line was to be set up to prevent the Serbs from
19 breaking through, and the Serbs were advancing slowly - they would do a

20 bit of shooting, then stay in the village and drink, so they didn't use
21 military logic that a Western unit would take; otherwise, they would have
22 passed through Sarajevo without any problems - and then this left the
23 possibility open to us to establish something.

24 Anyway, I asked Blaskic, and we'd established where we were going
25 to do this, to take some work platoons and to dig trenches in the area,

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1 to put up a proper defence, and he knew how to do this. This was
2 something that he knew how to do. But when he asked the people to come
3 and help him out with planks of wood or whatever, some construction
4 material, he would come back to me and say that nobody wanted to provide
5 those materials and that they wanted to be given receipts for the
6 issuance of those goods. I, of course, said, Well, fuck receipts. Write
7 down whatever you want, man; threaten, force, do whatever you want. And
8 at two exits to Travnik, I set up -- I put some people there who I saw
9 were brave. I put some brave people there and said that nobody was going
10 to leave Travnik unless they had a permit from me.

11 The first person sent back from the check-point was the deputy of
12 the number-one man in Travnik. He was a Croat. The number-one man was a
13 Muslim. The number-two man was a Croat. So they asked him, Have you got
14 a permit from Praljak? He said, No. They sent him back, and that was
15 the group of people. And when he returned, there was a group of people
16 standing around there to see what was going to happen. And when I asked
17 the man, All right, where -- which direction did he go in, he said, I

18 went to Split to start the defence preparations of Travnik.

19 So here you have a political leader who is fleeing, and he has
20 the gall to say that he was going to Split to begin preparations for the
21 defence of Travnik, if you please. I kicked him in his ass, in front of
22 all those people, to tell him, and to send a message to others of course,
23 "I have positioned myself as the commander here and no fucking
24 politician is going to fuck with me. I'm going to defend this town with
25 these guys."

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1 And we managed to dig the trenches, and let me tell you that
2 shells were falling from the Serb side, Vlasic and elsewhere, on Travnik,
3 and there was a hell of a noise. And knowing that the units -- well,
4 there was some great guys on the Muslim side, Leho, a case in
5 point from Turbe, but there were also those who couldn't care less one
6 way or the other, whatever happened.

7 And as I realised that the units that we would take out to take
8 up these positions after the fall of Jajce would be very fragile and weak
9 and would not be able to repel a Serb attack, I asked Blaskic go to the
10 Bratstvo company, which was a manufacturer of military goods, to gather
11 100 men there the very next day. It was a matter of hours. You had to
12 work quickly, to produce 100 guided mines, they are called "MRUD" in
13 military terms, that can be placed 50, 60, 70 metres underneath the
14 first -- the front-line positions, and electricity is used to activate
15 them. They have a strong impact, and I was certain that when this

16 explosive was laid down and that when the brave men, the men who were
17 bravest, managed to ignite them and they exploded, that this would repel
18 the Serbs and that this would give us a day or two to organise ourselves
19 further.

20 Now, it was 2.00 a.m., picture this, 2.00 a.m., no sleeping. I
21 had just returned from a village beneath Mount Vlastic, where I went to
22 see my men, and I found Blaskic talking over the phone obviously to the
23 general manager of this company, and this went on for ages. It was a
24 long conversation, and I asked him, Who are you talking to at such
25 length, man? And he told me the name of the man from this company,

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1 Bratstvo. I took over the telephone receiver and told the managing
2 director, because he had been given orders to go and produce this --
3 produce these explosives, and he asked me do I know what the time is, as
4 if we were socialising and how come somebody dared wake him up at
5 2.00 a.m.

6 Now, you have to know that the company was a major manufacturer
7 of weapons in the former Yugoslavia and he was god there, so who are
8 these Blaskics and Praljaks and whatever in -- to disturb him at that
9 time of night, because he was a big boss.

10 And after he said all this, after he uttered all this, and in
11 Europe it is considered that the Hungarians have the worst swear words,
12 as well as the Croats and the Italians, so I assume these swear words
13 were made up of all those three nations, the swear words of all those

14 three nations, the words that I uttered, and I said that I had sent the
15 military police to arrest him, to take him to his company, to tie him to
16 the radiator, and that at 8.00 in the morning I was going to execute him,
17 shoot him.

18 Now, Your Honours, of course I didn't execute him, and I had a
19 cup of coffee with him a few days later, but at moments like that he had
20 to take on responsibility. You had to take on responsibility and issue
21 these orders and get results. Not only did I get these 100 MRUDs, these
22 devices, but I got hundreds more later on.

23 We set up our defence, to cut a long story short. The defence of
24 Travnik was successful, and they did not manage to break through.

25 And just one more detail. I don't know that we'll have time to

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1 look at it today. But, anyway, there was a unit made up of young men.
2 They were up at positions. Two shells fell, I assume, and they fled. So
3 that's just briefly, because you'll be able to see that on the footage.
4 They're the films that I took later on as documentaries. I lined them
5 up, I asked them why they were fleeing. I threatened them. I asked them
6 who their officers were. A few men stepped forward and said that they
7 were the commanding officers. And I said, Well, you go straight to
8 prison, then. And the others said, Well, we'll go to prison, too,
9 because they didn't want to go back, they wanted to go to prison.

10 Now, faced with a situation of this kind, I thought, well, I'll
11 send them to prison, but they can take off their uniforms, because they

12 were uniforms of the Croatian people. So once again I had to threaten
13 them. I said, Strip. And once they took their clothes -- their uniform
14 off - it was cold - then they started backtracking, said they didn't want
15 to go to prison, that they were ready to go back.

16 Now, you have to turn the whole thing 'round. You did a bit of
17 threatening. Then you had to become a paternal figure. And then I said
18 to them, You're brave young men. You're going to do it. So these aren't
19 military skills. They're only partially military skills.

20 In this general disarray, and I'm telling you the facts and the
21 events as they took place. And that completes my brief portrait of this
22 picture. I managed to move the HVO and part of the BH Army to get them
23 going, although certain parts, Refik Lendo, for example, who said that
24 there were three reserve battalions, I wasn't able to get that at all.
25 They hid them. Anyway, at meetings that we had, I was very precise and

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1 said that obviously they were keeping those battalions for settling of
2 accounts with us because they didn't want to deploy them in the battle
3 against the Serbs.

4 The result was that Travnik was defended successfully, that
5 Central Bosnia, that had no defence up to Sarajevo, was defended, and the
6 way in which this is done I have described to you fully.

7 Q. General, we have time. The film has been prepared. If you wish,
8 maybe we can watch it.

9 A. Yes, we may.

10 Q. This is Exhibit 3D03114, transcript number 2. This was
11 submitted --

12 JUDGE MINDUA: [Interpretation] One moment, please. There's a
13 question before that, Ms. Pinter.

14 Well, Witness, Mr. Praljak, once again I'd like to get back to my
15 previous concern. The end result, well, was good. Order was established
16 in Travnik. You obtained the weapons you wished to do have, but what I'm
17 worried about is the method you used because you arrested the big boss,
18 you tied him to the radiator, and you threatened to execute him. Of
19 course, you didn't execute him, because on the following morning, or a
20 few days later, you had a cup of coffee with him. But the question I
21 have is this: Is this not something that is like a threat in the minds
22 of your men? Were your soldiers also entitle to threaten people, to
23 threaten to execute them?

24 THE WITNESS: [Interpretation] No, Your Honour, no.

25 First of all, my soldiers, or the ones that remained, saw that

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1 there was somebody -- first of all, I received almost 1.000 MRUDs without
2 which we would not have been able to carry out intention through. Second
3 of all, the threat was just acting. Third of all, I appeared in public
4 with that same man only two days later, and everybody knew that -- the
5 most important thing. It is true that under normal circumstances I could
6 be charged with threatening somebody, but this was a war, and somebody
7 refused to obey an order after mobilisation. Your Honour, he was well

8 due for execution. In any normal military, he would have been executed.

9 The state was in a war. That company was not his private
10 company. It was the property of Bosnia and Herzegovina. The general
11 mobilisation had been called. The state of war was proclaimed. I could
12 have easily executed him for having refused to participate in the defence
13 of the state. Of course, this has nothing -- in a normal military, for
14 example, in the Second World War in France or somewhere else, that same
15 person would have been executed, court-martialed.

16 My soldiers knew me too well, and really nobody in their right
17 mind could think that I could really threaten somebody. So my joint
18 appearance with him, the coffee, and another director from Vitez and so
19 on and so forth, I stand by my behaviour. This was the matter of
20 seconds. If I had given in to this man and if I had engaged in a
21 discussion, like Blaskic did, Travnik would not have been defended. They
22 would have marched on all the way to Sarajevo.

23 I would have repeated all of my decisions, I've already told you,
24 because my decisions are the expression of my way of thinking. Of what
25 you are asking, a war is a war, decisions have to be made, I stand by my

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1 decisions, because between a threat to an idiot, who is a traitor of his
2 country, on the one hand, and, on the other hand, 100.000 people in
3 Central Bosnia or, in other words, Bosnia would have been divided in
4 half, I did not think twice. This was the expression of my morale, of my
5 military morale, of my idea of how to defend the country, anything like

6 that.

7 JUDGE MINDUA: [Interpretation] Thank you very much.

8 MR. KARNAVAS: Mr. President, I listened to the question and I
9 listened to the answer, and I'm not sure the answer was quite consistent
10 with the question itself, because as I understand, the question was
11 whether, through your actions, it would have given the wrong impressions
12 to the soldiers, in other words, the green light for them to behave in a
13 like manner. I believe that was the essence of the question. That needs
14 to be answered, which wasn't answered, as opposed to what you indicated,
15 which was for your own behave. So for that -- could we concretely
16 answer, it could be beneficial to you and to others as well.

17 JUDGE ANTONETTI: [Interpretation] Yes, General. The question put
18 to you by my colleague was a question which aimed at the following: If a
19 commander sets the example and flies off the handle, this can have an
20 impact on his men. And as regards this particular aspect of the
21 question, you did not answer.

22 THE WITNESS: [Interpretation] True. The example said by a
23 commander is the most important thing in a war. However, you have to
24 look at all of the examples said by that commander, and my soldiers were
25 aware of all the examples of my behaviour in Capljina, in Mostar, in the

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1 defence of Travnik, and so on and so forth. They knew only too well how
2 their commander was acting and behaving. An isolated example could have
3 been wrong. However, the soldiers talk among themselves. All the HVO

4 commanders and a majority of the soldiers of the BiH Army knew what my
5 behaviour was from Capljina, on to Mostar, and then to Konjic and
6 elsewhere, and they were talking about that. And my overall behaviour
7 and my example was the way it was, the way you saw it. I would have
8 given my own life to prevent somebody from committing a crime before my
9 eyes.

10 JUDGE ANTONETTI: [Interpretation] We shall adjourn for today,
11 since there are only a few seconds left.

12 But before doing that, I wanted to ask Mr. Kovacic this: A few
13 weeks ago, I asked you to provide me with the list of documents which,
14 according to you, are fake or forged. Since I am getting prepared for
15 those questions I want to put to Mr. Praljak, I would have found it
16 useful to have these documents.

17 MR. KOVACIC: Yes, Your Honour, of course we are aware of that,
18 and we are working on that. Unfortunately, the problem was we were not
19 able, for quite a long time, to identify all the documents mentioned in
20 Mr. Praljak's testimony in the Naletilic case. There seems to be some
21 confusion with numbers. We definitely know there was one which was in
22 our case, but we have some problems in identifying some numbers in
23 Naletilic which are those numbers in this case. We need like maybe -- I
24 hope that in three days at most, we will do that.

25 JUDGE ANTONETTI: [Interpretation] Very well.

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1 We have already overstepped our time. As you know, we shall meet

2 again tomorrow at 9.00.

3 For Mr. Praljak's Defence, I would like you to know that you have
4 already had 23 hours and 40 minutes. Thank you.

5 And we shall reconvene tomorrow.

6 --- Whereupon the hearing adjourned at 1.46 p.m.,
7 to be reconvened on Thursday, the 21st day of May,
8 2009, at 9.00 a.m.

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